

THE RICE MARKETING BOARD FOR THE STATE OF NEW SOUTH WALES



AGENCY INFORMATION GUIDE - *GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009 (NSW)*

2025

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AGENCY INFORMATION GUIDE

This Information Guide has been produced by the Rice Marketing Board for the State of New South Wales ('the Board') in accordance with Section 20 of the *Government Information (Public Access) Act 2009* (GIPA Act). The Board is an agency for the purposes of the GIPA Act.

The purpose of this document is to provide members of the public with information concerning:

- The structure and functions of the Board;
- The way in which the functions of the Board affect members of the public;
- The avenues available to the public to participate in the exercise of the Board's functions;
- The type of information available from the Board and how this information is made available.

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1. About the Board

1.1. Structure and functions of the Board

The Rice Marketing Board (the Board) is governed by the Rice Marketing Act (1983) and the Rice Marketing Amendment Act (2024). The introduction of the Rice Marketing Amendment Act sees rice vesting cease on 1 September 2024 in Northern NSW and 1 July 2025 in Southern NSW, with the Board required to make all reasonable attempts to wind up its affairs by 1 July 2026. Rice that is already vested cannot be unvested as a result of the new Act and therefore the Board will continue to monitor vested rice until the Board no longer exists.

The Board consists of three nominated Members. The NSW Department of Primary Industries and Regional Development is responsible for the nomination and selection process of the four nominated Board Members.

The Board employs a Board Secretary and may appoint other roles as required for example a part-time administration officer and or a General Manager.

The Chair is responsible for leadership of the Board including:

- Facilitating the effective functioning of the Board including management of conduct, frequency and length of Board meetings;
- Communicating the views of the Board, in conjunction with the Board's Secretary, to the Board's stakeholders and to the public;
- Facilitating proper information flow to the Board;
- Setting the tone for the Board, including the establishment of a common purpose;
- Chairing Board meetings efficiently and shaping the agenda in relation to goals, strategy, budget and executive performance;
- Encouraging contributions by all Board Members and seeking consensus when making decisions;
- Motivating Board Members and where appropriate dealing with underperformance;
- Overseeing the process for appraising Board Members individually and the Board as a whole; and
- Overseeing negotiations for the Board Secretary appointments and evaluating their performance.

In the absence of the Chair, the Deputy Chair assumes the role that otherwise would be performed by the Chair.

The role of the General Manager is to:

- strengthen stakeholder engagement with NSW rice growers, licensed authorised buyers, grower representative associations and NSW government departments;
- increase rice industry awareness of the role of the Board and its policies and processes;
- understand the aspirations of NSW rice growers and rice industry participants and the identification of opportunities to assist them to strengthen their competitiveness within the domestic market in Australia;
- perform reviews on matters pertaining to the NSW rice industry;
- maintain liaison with the NSW Department of Primary Industries;

- negotiate commercial arrangements on behalf of the Board;
- represent the Board at external forums;
- support the Board, through the provision of reports and advice; and
- work with the Board Secretary to ensure the Board meets all its statutory obligations.

In the absence of the General Manager the Board Secretary assumes the role with the assistance of the Board Chair and Board Members.

The role of the Board Secretary is to:

- provide analysis, opinion and recommendations on a range of matters impacting the Board
- co-ordinate meetings, prepare and circulate meeting papers and minutes of meetings
- prepare monthly and annual financial statements,
- prepare the Annual Report,
- manage all contracts and consultants,
- perform the annual crop audit,
- investigate potential breaches of the Rice Marketing Act 1983 (NSW),
- maintain all records,
- handle enquiries and correspondence and
- ensure adherence to all statutory requirements regarding Board matters.

There is one committee of the Board, which makes recommendations and provides advice to the Board:

a. Audit and Risk Committee

The Audit and Risk Committee oversees the engagement and methodology of the external auditors, reviews and monitors the risk profile of the Board, monitors the audit process, reviews the completeness and accuracy of the Financial Statements prior to consideration and approval by the Board, and reviews emerging risks to ensure they are appropriately addressed.

1.2. The Board's purpose

The objects of the Board as gazetted by the NSW Governor on 23 May 2009 are:

- To encourage the development of a competitive domestic market for rice;
- To ensure the best possible returns from rice sold outside Australia based on the quality differentials or attributes of Australian grown rice; and
- To liaise with and represent the interests of all NSW rice growers in relation to the Board's functions and objects.

The *Rice Marketing Act 1983 (NSW)* states that the NSW Governor may declare that the commodity rice is divested from the producers and is absolutely vested in and is the property of the Board (s. 56). The Board licenses Authorised Buyers to trade NSW rice in the domestic market, and also licenses one sole and exclusive export licence holder to export NSW rice.

To meet the Board's first object, to encourage the development of a competitive domestic market for rice, the Board:

- Reviews licence holders' annual returns;
- Regularly reviews the fee schedule for authorised buyers;
- Meets with Authorised Buyers on a regular basis;
- Provides information to rice growers and buyers, for example on the provision of rice seed supplies; and
- Manages an annual audit of the NSW rice crop to ensure compliance with the *Rice Marketing Act 1983 (NSW)*.

The Sole and Exclusive Export Licence grants approval to sell and supply rice outside of Australia. The current holder of this licence is Riceworkers Limited, trading as SunRice (SunRice). From 1 September 2024 rice produced in Northern NSW is no longer vested and can be exported without restriction. From 1 July 2025 rice produced in Southern NSW will no longer be vested and can be exported without restriction. All rice produced before these dates remains vested and can only be exported by the SEEL holder SunRice.

To meet the Board's second object, to ensure the best possible returns from rice sold outside Australia based on the quality differentials or attributes of Australian grown rice, the Board:

- assesses the performance of the export licence holder through an annual report on its business performance;
- Refers the calculation of the main benefits of vesting, the export price premium and freight scale advantage, to be verified by an independent consultant;
- Conducts annual crop audits to ensure that all NSW grown rice is sold to an Authorised Buyer;
- Monitors rice exports to ensure they are consistent with the *Rice Marketing Act 1983*; and
- Reports to the Board's stakeholders and Government through a report appended to the Board's Annual Report.

These activities will be conducted for the final time for the 2025 Southern NSW crop. Monitoring of rice exports will continue to be conducted on all vested rice until the Boards affairs are wound down.

To meet the Board's third object, to liaise with and represent the interests of all NSW rice growers in relation to the Board's functions and objects, the Board:

- Attends Riceworkers' Association of Australia (RGA) branch meetings;
- Attends other regional rice meetings;
- Attends rice field days;
- Supports industry activities including RGA Conferences and rice field days;
- Provides information on the Board's website, including annual reports, news updates, Board policies and the Charters of the Board and its Committee;
- Communicates with the President and Executive Director of RGA on issues relevant to the industry;
- Invites all NSW rice growers to the Annual Meeting held every November;

1.3. Legislation

The Board is constituted under the *Rice Marketing Act 1983 and the Rice Marketing Amendment Act 2024*. The *Rice Marketing Regulation* provides further instruction on matters pertaining to the Board.

The Board is subject to the direction of the Minister administering these Acts.

Further information on the Board's structure and functions is available in the Board and Committee Charters, accessible on the Board's website <https://www.rmbnsw.org.au>.

2. How the Board engages with the public

2.1. Service functions

The Board is a non-voting member of the RGA Central Executive, a council of grower representatives from the Murray and Riverina. The Board also participates in a range of rice industry activities across NSW, including rice grower meetings, conferences and rice field days.

2.2 Regulatory or enforcement functions

Under s.52 of the *Rice Marketing Act 1983 (NSW)*, rice is divested from NSW rice producers and is the property of the Board. The Board then licenses its agents to buy NSW rice in the domestic market. There are currently thirteen Authorised Buyers Licence ("ABL") agents, and SunRice is the Board's sole agent for the export of NSW rice. These licences only operate in relation to vested rice only.

2.3 Revenue functions

Historically the Board's main sources of income were licence fees from Authorised Buyers and the Sole and Exclusive Export Licence fee. With the passing of the Rice Marketing Amendment Act 2024, and the subsequent transition period to the winding down of vesting and the Board, the Board made the decision to use its reserves to fund its operations until it is wound down rather than charge any further fees to cover operating expenses.

2.4 Administrative functions

The Board Secretary is responsible for the Board's administrative functions and may be contacted by the public during business hours for enquiries concerning the NSW rice industry.

The Board supports the principles of open government and encourages stakeholders and the general public to participate by:

- Contacting the Board Secretary to discuss or provide input into any aspect of the Board's policy and functions;
- Discussing issues with a Board Member at a rice industry meeting, conference or field day. Rice industry meetings, conferences and field days are advertised on the Ricegrowers' Association of Australia website at www.rga.org.au.

The Board stores its information primarily in electronic records. Some paper-based records also exist.

3 The Board's information and how to access it

In NSW, you have a legal right to access government information under the GIPA Act. More information on your rights and the role of the Information Commissioner under the GIPA Act is available at <https://www.ipc.nsw.gov.au/information-access/citizens>.

The Board is committed to the principle of open and transparent government. The Board will make as much information as possible publicly available unless there is an overriding public interest against disclosure.

The Board's information includes:

- Agendas, meeting papers and minutes of meetings;
- Annual Reports including Financial Statements;
- Annual Report to Rice Growers on the performance of the Board against its objects;
- Consultants reports, including the annual verification of the export price premium and freight scale advantage;
- Board and Committee Charters;
- Board Policies;
- Communications Plan;
- Historic information relating to the Capital Equity Rollover Scheme;
- Crop production tonnages since 1951, the most recent 5 years are available on the RMBNSW website
- Statistical information on rice crops since 1951;
- Annual returns of Authorised Buyer Licence holders;
- Annual Crop audits;
- Monthly reviews of rice exports from Australia;
- Financial accounts;
- NSW Electoral Commission reports on Board Member elections;
- Multicultural Plans;
- Market research reports;
- Media statements;
- Presentations at Annual Meetings;
- Independent review of RMB Governance Arrangements 2017-18;
- Independent review of the viability of developing the rice industry outside the Murray and Riverina Regions 2017-18;
- GIPA disclosure log.

Some information held by the Board is not made publicly available on the basis of an overriding public interest against disclosure. This information may include meeting papers and minutes, legal advice, commercial-in-confidence documents and other documents identified at meetings.

There are four ways that members of the public can access government information held by the Board:

3.1 Open Access Information

Open Access Information is information that the Board must release to the public to help foster responsible and representative government that is open, accountable, fair and equitable. This information is free of charge and is publicly available on the Board's website at <https://www.rmbnsw.org.au> and includes:

- Information about the Board contained in any document tabled in Parliament by or on behalf of the Board. This information is accessed via the NSW legislative assembly website <https://www.parliament.nsw.gov.au/la/Pages/Welcome.aspx>
- Policy documents that are related to its functions and are likely to affect members of the public. These documents are found on the RMB website <https://rmbnsw.org.au/rice-marketing-board-policies>;
- Disclosure log of Formal Access Applications that may be of general public interest. This log can be obtained by requesting a copy from the Board Secretary via email secretary@rmbnsw.org.au.

- Other government information as may be prescribed by the GIPA Regulations as open access information. This information can be requested from the Board Secretary via email secretary@rmbnsw.org.au.

Information that is open access information includes annual reports, policies, and the GIPA Disclosure Log.

The Board has awarded one contract over \$150,000 in value, in 2022-23. The contract was the Sole and Exclusive Export Licence issued to Ricegrowers Limited trading as SunRice. There are currently no contracts in place exceeding the \$150,000 threshold. The value paid to consultants is reported in the Board's Annual Report.

For further information please contact the Board Secretary by emailing secretary@rmbnsw.org.au, phoning 02 6953 3200, through the website contact page or by sending a letter to PO Box 151, Leeton, NSW 2705.

3.2 Proactively released information

Under s. 7(3) of the GIPA Act, the Board must review its program to release information at least annually. The Board and the Audit and Risk Committee review information for release at the end of each meeting. Any information released is usually free of charge and is published on the Board's website at <https://www.rmbnsw.org.au>. There may be a nominal charge if resources are required to compile the information requested.

You may suggest that information be proactively disclosed by contacting the Board Secretary by email to secretary@rmbnsw.org.au, by phoning 02 6953 3200 during regular business hours or by mail to PO Box 151, Leeton, NSW 2705.

Proactively released information includes the Board's Charter, Committee Charter, Communications Plan, and Annual Reports to NSW Rice Growers.

3.3 Informally released information

Members of the public can request information from the Board on any topic of interest. If the information is held by the Board and is clearly in the public interest to disclose, the request may be treated as an informal GIPA application and may be supplied free of charge.

You may make an informal request for information by contacting the Board Secretary by email to secretary@rmbnsw.org.au or through the website contact.

3.4 Formal Access Applications

A request for information held by the Board may be made through a formal access application. To make a request, an access application must:

- Be in writing and be addressed to the Board;
- Clearly indicate that it is a formal access application made under the GIPA Act;
- Be accompanied by a payment of \$30 application fee;
- Provide a postal or email address for correspondence; and
- Include such information as is reasonably necessary for the information applied for to be identified.

You may make an on-line application for information using the access application form on the Board's website at <https://www.rmbnsw.org.au>, by emailing the Secretary at secretary@rmbnsw.org.au or by mailing your application to the Board at PO Box 151, Leeton, NSW, 2705.

Some information held by the Board is not made publicly available on the basis of an overriding public interest against disclosure. This information includes meeting papers minutes (until they are 20 years old), legal advice, commercial-in-confidence documents and other documents identified at meetings. Minutes older than 20 years are stored with Museums of History and can be accessed by submitting an application, searching the object collection, or vial email collections@mhnsw.au.

The NSW Government also provides a single search environment for NSW data assets at <https://data.nsw.gov.au/datansw>. Some Annual Reports are available on Data NSW. All Annual Reports since 2009/10 are available from the National Library – National edeposit (NED) ned@sl.nsw.gov.au or phone +61 2 9273 1619.

4 Fees payable

An application fee of \$30 applies to formal access applications, plus \$30 hourly processing fees may apply in accordance with section 64 of the GIPA Act. You may be entitled to a 50% discount in the processing charge in accordance with section 65 of the GIPA Act, if the Board is satisfied that you are suffering financial hardship.

Fees will only be charged where information will take a considerable time to extract either because the information is in physical documents which require review, or where a significant number of documents have been requested. As a guide, information taking greater than 1 working day to extract is likely to attract the fee. Such information could include historical delivery information or equity scheme documents. Applicants will be notified in these instances once an assessment has been made as to the location of the information requested and the estimated time it will take to extract.

5 Feedback and questions

For further information relating to the disclosure of government information held by the Board, 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
E-mail: secretary@rmbnsw.org.au

6 Document Control

a. Version

Reference	Details
File Name	RMB GIPA Agency Information Guide
File location	RMB policies/GIPA
Version	2025
Status	Final

b. Revision History

Version	Revision Date	Summary of Change	Author
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2021	1/2/2021	Creation	C Chiswell
2022	8/3/2022	Minor revisions	GNR Committee
2023	20/1/2023	Addition of GM	N Dunn
2024	27/02/2024	Update GIPA Act reference s3.2	N Dunn
2025	25/02/2025	Update for changes in Board structure and function. Add additional information requested in the 2024 GIPA review by IPC	N Dunn

c. Document Approval

Board/Committee Approval	Date
GNR Committee	9/2/2021
Board	16/2/2021
Information and Privacy Commission	17/3/2021
GNR Committee	8/3/2022
Board	17/3/2022
GNR Committee	1/3/2023
Board	29/3/2023
GNR Committee	6/3/2024
Board	28/3/2024
Board	08/05/2025