

# THE RICE MARKETING BOARD FOR THE STATE OF NEW SOUTH WALES



## GIFTS AND BENEFITS POLICY

<b>Version</b>	<b>Author</b>	<b>Date Approved by Board</b>
2018-2	Carol Chiswell	20/8/2018
2020-1	Carol Chiswell	22/9/2020
2022-1	Nyree Dunn	20/09/2022

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## GIFTS AND BENEFITS POLICY

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### **Background**

This policy provides the framework for managing offers of gifts and benefits in a transparent manner to ensure sound ethical practice, good governance and appropriate corruption prevention principles.

### **Policy**

Board members and employees should be aware that it is illegal to seek, offer or receive money or gifts in order to obtain a benefit or favour. Members must not accept gifts or benefits of any value that could place them under an actual or perceived financial or moral obligation to an organisation or individual.

Rice industry events attended on behalf of the Board, such as the Ricegrowers' Association of Australia annual conference and the annual rice field day, are not considered a benefit.

Gifts of hospitality of nominal value may be accepted in limited circumstances where the member's position will not be compromised. Soliciting gifts or benefits is strictly prohibited under any circumstance. Under no circumstances are bribes or offers of cash to be accepted.

The minimum reportable value of a gift or benefit is \$50.00 AUD. If the gift or benefit is under \$50.00 AUD it may be accepted and it does not have to be declared. If the value of the gift or benefit is over \$50.00 AUD and under \$100.00 AUD, it may be accepted and must be declared to the Board Secretary or Board Chair within ten working days of receipt. If the value of the gift or benefit is \$100.00 AUD or over, it must not be accepted and must be declared to the Board Secretary or Board Chair within ten working days from the time of the offer.

### **Rejecting Gifts and Benefits**

In rejecting gifts and benefits Board members and employees must be polite but firm, and include an explanation to the giver that there is a perceived conflict of interest in accepting their gift or benefit.

If the gift or benefit cannot be returned, it must be surrendered to the Board Secretary and held until a decision of the Board is made as to its most appropriate disposal.

### **Registering Gifts and Benefits**

All gifts or benefits above the nominal value must be registered with the Board Secretary. The Secretary is responsible for maintaining the Register, which must include:

- Recipient's name

- Supplier's name and contact details
- Date gift/benefit offered
- Description of gift/benefit
- Estimated value of gift/benefit
- Reasons gift/benefit offered
- Reasons gift/benefit accepted.

The Register of Gifts and Benefits is to be reviewed by the Board at least annually.

### **Legislation**

The improper acceptance of gifts or benefits can constitute corrupt conduct as defined by the *Independent Commission Against Corruption Act 1988*. Accepting or soliciting gifts and benefits may also constitute an offence under the *Crimes Act 1900 (NSW)*.

### **Gifts and Benefits from Licensees**

The receipt of gifts and benefits from Authorised Buyer Licence holders or the holder of the Sole and Exclusive Export Licence presents a potential conflict of interest for Board Members.

The Board comprises four nominated members and three elected members. Under Clause 10(a) of the Sole and Exclusive Export Agreement, Ricegrowers Limited (SunRice) agreed to appoint the three elected members who consent to act and satisfy the relevant requirements as directors of Ricegrowers.

The Board is mindful of the perceived and real conflicts of interest presented by the structure of the Board, and has implemented processes that ensure the integrity of Board decision-making and that protect commercial and confidential information of stakeholders. Any gifts or benefits above the nominal value received by Board Members as part of dual directorships or combined events with SunRice must be registered. Travel and accommodation and related expenses received in the course of undertaking normal directorship duties are not a gift or benefit.

### **Definitions**

"Gift/Benefit"	Any item, service, prize, hospitality or travel, provided by a customer, client, applicant, supplier, potential supplier or external organisation, which has an intrinsic value and/or a value to the recipient, a member of their family, relation, friend or associate.
"Nominal Value"	The monetary limit of acceptable gifts. By accepting the gift. There would be no obligation, perception or expectation for reciprocation or providing preferential treatment. The minimum reportable value of a gift or benefit is \$50.00 AUD.
"Gift"	An item of value. For example, a gift voucher, entertainment, hospitality, travel, commodity, property etc. which one person or organisation presents to another. Gifts may be

	offered as an expression of gratitude with no obligation to repay in kind, or given to create a feeling of obligation.
"Benefit"	Similar to a gift in that it is of value to the recipient, but less tangible, for example, discounts, access to corporate boxes at sporting events, flight upgrades, preferential treatment or access to confidential information.
"Bribe"	A gift or benefit offered to or solicited by a Board Member or employee to influence the recipient to act in a particular way.

### Further information

For further information concerning the Board's Gifts and Benefits Policy, 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 7684E-mail: secretary@rmbnsw.org.au

### Document Approval and Control

a. Version

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File location	RMB Policies/Gifts and Benefits policy
Version	2022-1
Status	FINAL

b. Revision History

Version	Revision Date	Summary of Change	Author
2018.1	16/07/2018	GN&R Committee edits	C Chiswell
2018.2	20/8/2018	Board edits	C Chiswell
2020-1	1/7/2020	GN&R Committee review – no changes	C Chiswell
2020-1	30/9/2020	Board edit – Amend in line with NSW Audit Office policy	C Chiswell
2022-1	26/08/2022	GN&R Committee	N Dunn

c. Document Approval

Board/Committee Approval	Date
v. 2018-2 FINAL	20/8/2018
2020-1 FINAL subject to amendments in line with NSW Audit office policy	22/9/2020
2022-1 FINAL	20/09/2022