

THE RICE MARKETING BOARD FOR THE STATE OF NEW SOUTH WALES



PROCUREMENT POLICY

2023-1

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PROCUREMENT POLICY

Policy

The Rice Marketing Board for the State of New South Wales ('the Board') is responsible for its own procurement of goods and services.

This policy should be read in conjunction with the Delegations Policy, which imposes limits on expenditure and investment approvals.

It is the policy of the Board, when procuring goods and services, to:

- Obtain the best value for money;
- Have fair and open competition by treating all potential suppliers equitably and ensuring the procurement process is fair, ethical and transparent;
- Ensure that probity is routinely considered in procurement decisions;
- Safeguard confidential supplier information;
- Keep appropriate records of major procurement planning, management and decision-making;
- Comply with the contract disclosure and open access information requirements of the *Government Information (Public Access) Act 2009*;
- Use the pre-qualification scheme of the NSW government to find suppliers pre-qualified to work with government, whenever possible;
- Obtain three quotes from suppliers, whenever possible (but see "Quotations" section below);
- Not engage the same consultant for a specific annual project for more than five consecutive years;
- Pay suppliers within 30 days; and
- Not engage in order-splitting.

The Board does this to ensure:

- it achieves probity and fairness;
- it does not favour one supplier over another;
- it obtains value for money; and
- it achieves control over fraud and corruption.

Quotations

Whenever possible it is the Board's policy to obtain three quotes from suppliers.

- For goods and services under \$10,000 the Board may enter into an arrangement with any supplier, even if the goods or services are available through whole of government procurement arrangements.
- For goods and services over \$10,000 and less than \$30,000 that are not available through whole of government procurement arrangements, the Board must seek at least one quotation.
- For goods and services over \$30,000 and up to \$680,000 that are not available through whole of government procurement arrangements, the Board must seek at least three written quotations.

- For goods and services over or equal to \$680,000, the Board must conduct a procurement process endorsed by an accredited agency or NSW Procurement.

Modern Slavery

The Modern Slavery Act 2018 (NSW) ('the Act') and related Modern Slavery Amendment Act 2021 make significant changes to New South Wales public procurement. They require government agencies to take "reasonable steps" to ensure that goods and services procured are not the product of modern slavery.

Modern Slavery is a crime and violation of human rights. The Act requires that an annual statement be prepared and approved for each financial year where a company has a revenue of at least \$100 million. While the Board does not have a legal obligation to report against the provisions of the Act, the Board is committed to reducing the risk of modern slavery existing within its operations and supply chains and has a zero tolerance approach to Modern Slavery.

Modern Slavery includes eight types of serious exploitation:

- trafficking in persons
- slavery
- servitude
- forced marriage
- forced labour
- debt bondage
- deceptive recruiting for labour or services; and
- the worst forms of child labour which means situations where children are subjected to slavery or similar practices, or engaged in hazardous work.

By acknowledging Modern Slavery within its Procurement policy, the Board aims to

1. prevent, detect and respond with mitigating controls to the risk of Modern Slavery occurring within its supply chain or in any other business relationships.
2. Demonstrate the Board's commitment to only doing business with those who fully comply with the Act, and
3. ensure compliance with the Act (as may be amended from time to time).

The Modern Slavery rules apply to all persons working for and with RMBNSW or on its behalf in any capacity, including employees, directors, officers, volunteers, interns, external consultants, third-party representatives and business partners.

The Board is committed to acting ethically and with integrity in all its business dealings and relationships and to implementing and enforcing effective systems and controls to ensure Modern Slavery is not taking place anywhere in its own business operations or supply chains.

The Board is also committed to ensuring there is transparency in its approach to tackling Modern Slavery throughout its business and supply chains, consistent with the disclosure obligations under the Act.

The prevention, detection and reporting of Modern Slavery in any part of the business and supply chain is the responsibility of all those working for it or under its control.

The Board expects the same high standards from all of its contractors, suppliers and other business partners. The contracting processes will include specific prohibitions against the use of forced, compulsory or trafficked labour, or anyone held in slavery or servitude, whether adults or children, and expect suppliers to hold their own suppliers to the same high standards.

RMBNSW will meet the requirements under the Act in these ways:

1) Procurement of goods and services

Procuring goods and services will, as far as reasonable, be conducted in a way as to ensure that the RMBNSW sources goods and services from entities that comply with their obligations under the Act.

2) Partnership arrangements and MOUs

Partnership arrangements with other organisations will, as far as reasonable, be conducted in a way as to ensure that partner entities that comply with their obligations under the Act.

3) Contract management and monitoring key suppliers/offshore partners

RMBNSW will include anti-slavery wording in contracts to cover compliance with the Act.

The obligations in the clause to include:

- Obligation to comply with the Act
- A requirement to take reasonable steps to ensure that there is no modern slavery in the contractors supply chains or any subcontractor's supply chains, and
- A requirement to notify RMBNSW if the supplier becomes aware of any actual or suspected breach of the Act.

Due diligence to assess suppliers, partners and contractors may include:

- self-assessment that the provider complies with various provisions of the Act
- seeking a copy of the providers most recent Modern Slavery Statement (if applicable)
- seeking details of the structure and operation of their supply chain and/or
- seeking details of the actions the providers take in managing modern slavery risks in their supply chain.

Authority and Legislation

The Board is constituted under the *Rice Marketing Act 1983* (the Act). The *Rice Marketing Regulation* provides further instruction on matters pertaining to the Board. The Board is subject to the direction of the Minister for Primary Industries.

The Board applies the NSW Procurement Policy Framework of the NSW government. Agency heads are responsible for managing their own agency procurement. The Board Chair as Agency Head has delegated responsibility for all goods and services procurement to the Board Secretary who is the Chief Procurement Officer.

All procurement by government agencies is to be conducted in accordance with the overarching requirements set out in section 176 of the *Public Works and Procurement Act 1912* and any subsequent legislation. Agencies must comply with all Procurement Board Directions. A yearly review of Contractors will be performed in respect of Modern Slavery.

Further information

For further information concerning the Board's Procurement Policy, please contact:

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a. Version

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2021	15/10/21	Updated	C Chiswell
2023	16/2/23	Addition of Modern Slavery components	N Dunn

c. Document Approval

Board/Committee Approval	Date
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