

“INFORMATION STATEMENT”



POTATO MARKETING CORPORATION
OF WESTERN AUSTRALIA

**FREEDOM OF INFORMATION
PROCEDURES/CONTACTS
&
ACCESS ARRANGEMENTS**

December 2015

INDEX

	<u>PAGE</u>
STRUCTURE & FUNCTIONS OF THE POTATO MARKETING CORPORATION OF WESTERN AUSTRALIA	3
A. Basis on which the Potato Marketing Corporation of Western Australia is constituted.	3
B. Description of Major Functions and Powers	4
C. Corporate Mission and Objectives	5
D. Criteria for Measuring Performance	5
E. Resources	5
THE EFFECT OF THE CORPORATION'S FUNCTIONS ON THE PUBLIC & ARRANGEMENTS FOR PUBLIC PARTICIPATION IN POLICY FORMULATION	6
Constitution of the Board	6
ARRANGEMENTS FOR PUBLIC PARTICIPATION IN POLICY FORMULATION	7
FREEDOM OF INFORMATION OPERATIONS	7
FREEDOM OF INFORMATION APPLICATIONS	8
FREEDOM OF INFORMATION CHARGES	10
FREEDOM OF INFORMATION ENQUIRIES	12
INFORMATION LOCATIONS	13
Internal Manual(s)	13
Internal Publications	13

STRUCTURE & FUNCTIONS OF THE POTATO MARKETING CORPORATION OF WESTERN AUSTRALIA

A. “Basis on which the Potato Marketing Corporation of Western Australia is Constituted”

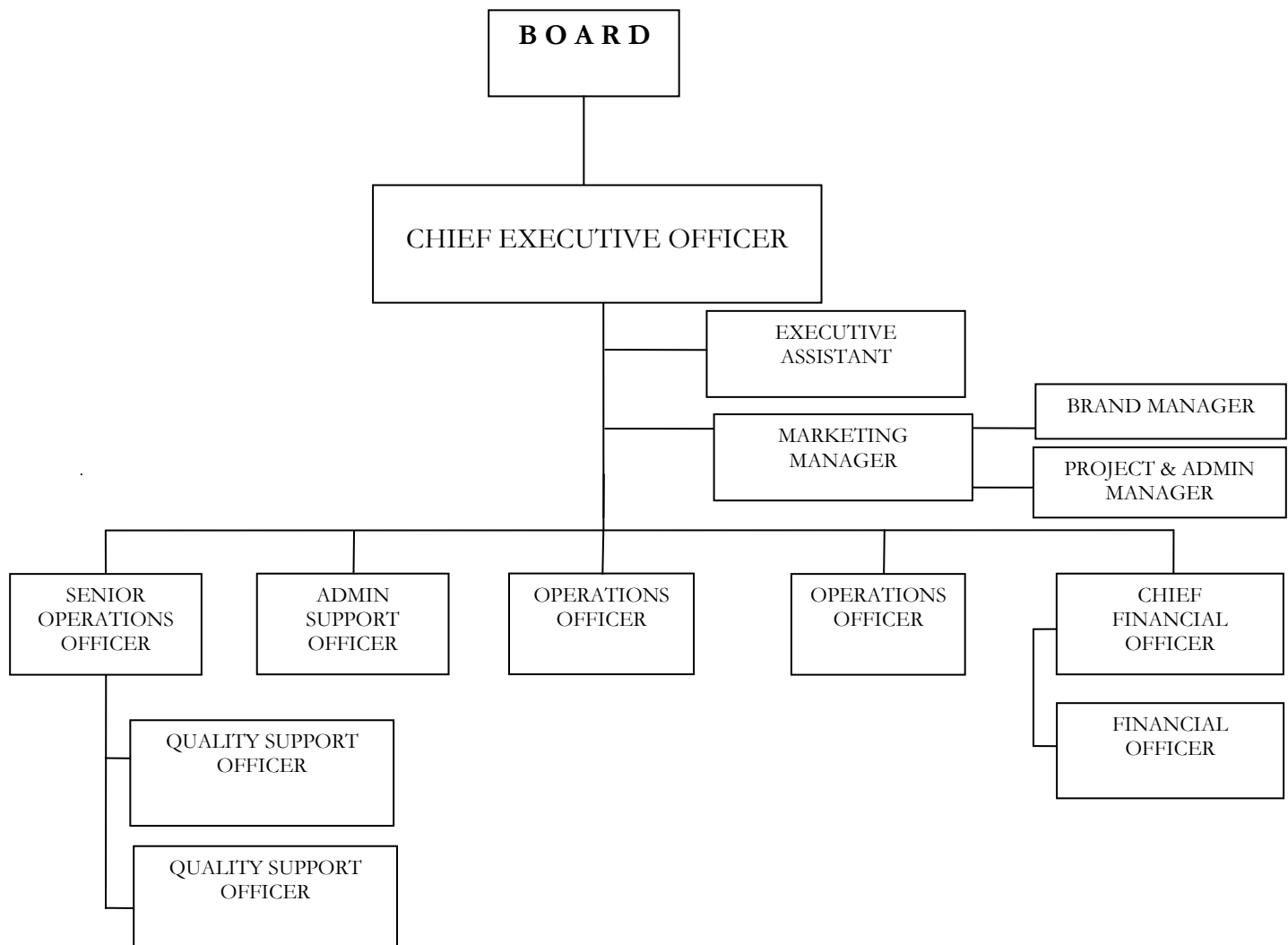
The Potato Marketing Corporation of Western Australia is established under the ‘Marketing of Potatoes Act 1946’ and its Amendments.

Minister Responsible

The Minister for Agriculture and Food; Fisheries, The Honourable Ken Baston MLC, is the Minister responsible for the Potato Marketing Corporation of Western Australia.

The Ministry draws his/hers powers from ‘Section 20A’ of the ‘Marketing of Potatoes Act 1946’ which gives power to direct in writing to the Corporation concerning the performance of its functions, either generally or with respect to a particular matter.

Organisational Structure, as at June 30, 2015



B. Description of Major Functions and Powers

The functions of the Corporation are defined in Section 17A of the *Marketing of Potatoes Act 1946* as:

- Regulate the production of ware potatoes so as to ensure the supply of quantities, kinds and qualities preferred by consumers in the state.
- Take delivery of, and otherwise deal with, potatoes in accordance with this Act and market potatoes in the state and elsewhere.
- Register persons who are to be authorised to carry on business as a commercial producer of potatoes, and license the areas of land to be used in any such business.
- Encourage and promote the use of potatoes and provide for the monitoring and, if thought fit, regulation of the production of potatoes for propagation or for any other prescribed kind of use.
- Foster methods of production and adopt methods of marketing that will enable potatoes grown in the state to compete in price and quality against potatoes from alternative sources of supply.
- Promote, encourage, fund and arrange for the conduct of research into matters relating to the production and marketing of potatoes, and undertake market development.
- Seek and apply knowledge of new and improved techniques and materials that will assist it to perform its functions.

Legislation Impacting on Activities

Auditor General Act 2006

A New Tax System (Goods and Services Tax) Act 1999

Debits Tax Act 1990

Disability Services Act 1993

Electoral Act 1907

Equal Opportunity Act 1984

Financial Management Act 2006

Financial Institutions Duty Act 1993

Freedom of Information Act 1992

Fringe Benefits Assessment Act 1986

Government Employees Superannuation Act 1987

Industrial Relations Act 1979

Industrial Relations Reform Act 1993

Library Board of Western Australia Act 1951

Minimum Conditions of Employment Act 1993

Occupational Health and Safety Welfare Act 1984

Public Interest Disclosure Act 2003

Public Sector Management Act 1994

Sales Tax Assessment Act 1992

State Records Act 2000

Statutory Corporations (Liability of Directors) Act 1996

Trade Practices Act 1974

Workers' Compensation and Assistance Act 1981

C. Corporate Mission and Objectives

The mission of the Potato Marketing Corporation of Western Australia is to provide leadership to all stakeholders in the supply chain in order to build and maintain an efficient, profitable and sustainable industry that is responsive to market needs.

D. Criteria for Measuring Performance

A detailed statistical analysis of the performance indicators is available in the Corporation's Annual Report, which may be obtained from the the Corporation's website www.pmc.wa.gov.au.

E. Resources

The Corporation operates from one office situated at Baron-Hay Court Kensington, employing 13 staff.

Assets (current values) and operating income and expenditure are detailed in the Annual Report.

THE EFFECT OF THE CORPORATION'S FUNCTIONS ON THE PUBLIC AND ARRANGEMENTS FOR PUBLIC PARTICIPATION IN POLICY FORMULATION

Constitution of the Board

The Corporation is administered by a Board, which consists of six members. The members of the Board as at 30 December 2015 were:-

Mr Ron Edwards (Chairman)

Dr Edwards was appointed to the position of Chairman in *2015*.

Dr Edwards holds a Bachelor of Economics from the University of Western Australia, a Master of Education with Honours from the University of Sydney and a Doctor of Education from the University of Western Australia. A Business Consultant with over 20 years of experience, Dr Edwards is currently a Board Member with Goldcorp (incorporating the Perth Mint), and a business consultant providing a range of consultancy services.

Dr Edwards's term expires in *May 2018*.

Mr Basil Lenso

Mr Lenso was appointed to the Board in *May 2015*.

Mr Lenso is a Managing Director of a family business, Lenso Fishing Co. Pty. Ltd., with diversified interests in lobster fishing boats, importation, wholesale and distribution of food and beverages and 3 retail shoe stores. Mr Lenso holds a Master in Business Administration from the University of Western Australia and is a graduate of the Australian Institute of Company Directors.

Mr Lenso's term expires in *May 2018*.

Ms Sophie Dwyer

Ms Dwyer was elected to the Board in *May 2015*.

Ms Dwyer is a management consultant specialising in horticultural supply chains within Western Australia. She currently consults through her business, Agrilinks, and as Senior Manager with The Advisory Panel providing Industry Development Services and Strategic Planning and Analysis Services with the Department of Agriculture and Food. Ms Dwyer holds a Bachelor of Science (Horticulture) with Honours from the University of Western Australia and a Master of Business Administration from Curtin University.

Ms Dwyer's term expires in *May 2018*.

Mr Paul McKenzie

Mr McKenzie was appointed to the Board in *May 2015*.

Mr McKenzie is a professional agribusiness consultant and company Director. He is the founder of Agrarian Management, Chair of Kangaroo Island Plantation Timbers Ltd., Member of the Ministerial Agricultural Advisory Council and Director of the Rural Financial Counselling Service of WA. Mr McKenzie holds a Bachelor of Science (Agriculture) from The University of Western Australia and a Bachelor of Commerce from Murdoch University.

Mr McKenzie's term expires in *May 2018*.

Mr Greg Ryan

Mr Ryan was elected in *December 2015*.

Mr Ryan is a potato and beef farmer. He is a current Member of the Agricultural Produce Commission – Potato Producers Committee and Deputy Fire Control Officer - Quinninup Bush Fire Brigade, and the Coordinator and founder of the Manjimup/Pemberton Potato Group.

Mr Ryan's term expires in December 2018.

Mr Darryl Smith

Mr Smith was re-elected to the Board in *September 2013*.

Mr Smith has grown potatoes since 1979. He was a Member of the APC (PPC) Potato Producers Committee for 6 years. Mr Smith was secretary of the Busselton zone of the PGA before becoming the Busselton Zone Chairman, PGA Committee Member for 11 years and PGA President for 3 years.

Mr Smith's term expires in *September 2016*.

The representative structure of the Board (with two members who are commercial producers) enables producers to participate in policy formulation.

ARRANGEMENTS FOR PUBLIC PARTICIPATION IN POLICY FORMULATION

Public input into the drafting Acts and amendments to Acts of Parliament, and subsequent regulations, is available via the normal parliamentary and political processes. The *Marketing of Potatoes Act 1946* sets out powers which the Board or its representatives can exercise in fulfilling its role in the community. The exercising of these powers can impact directly on members of the public. The major powers authorised under the Act (are to):-

- establish or maintain premises for receiving, handling, grading, treatment, storage or sale of potatoes;
- process or contract or arrange for the processing of any potatoes;
- purchase, hire, construct, erect and maintain any premises, machinery, plant and equipment required for the processing of potatoes;
- may with respect to the marketing or production of any potatoes enter into arrangements with any body, association or corporation in the Commonwealth which has among its principal objects the management, control or regulation of the marketing or production of the potatoes, and may through any member or delegate of the Corporation participate in the membership or management of any such body, association or corporation;
- exercise the functions usually exercised by shipping agents;
- require any grower who may cease to grow or produce potatoes for sale, or who may intend to produce fewer potatoes than contemplated by the conditions of his licence, to give to the Corporation written notice and particulars of the circumstances within a reasonable time.

The impact of the above major powers correlates with the Corporate Mission and Objectives of the Corporation – “to manage the production and supply of potatoes and promote their use so as to satisfy market needs”.

FREEDOM OF INFORMATION OPERATIONS

It is the aim of the agency to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the Freedom of Information (‘FOI’) process.

If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

FREEDOM OF INFORMATION APPLICATIONS

FOI applications may be made by an individual to the Corporation in order to:

- a) gain access to a document of the Corporation;
- b) amend personal information about the individual contained in a document of the Corporation, if the information is inaccurate, incomplete, out-of-date or misleading; or;
- c) review a previous FOI decision regarding access to a document, or amendment of personal information in a document.

Application forms for FOI applications are available from the Corporation. The use of applications forms is not mandatory, however, if an Applicant does not use the application form, he or she must ensure that the request is in writing, provides an Australian address for correspondence and contains the following information:

- a) An application for access to a document of the Corporation

The applicant must:

- (i) give enough information to identify the document to which the Applicant seeks access; and
- (ii) be accompanied by the appropriate application fee.

- b) An application to amend personal information in a document of the Corporation

The applicant must give:

- (i) enough details to identify the documents which the Applicant seeks to amend;

- (ii) details of the information that the Applicant believes is inaccurate, incomplete, out-of-date or misleading and the reasons for holding that belief; and
- (iii) details of any amendment that the applicant wishes to have made.

c) An application to review a previous FOI decision

The application must be made within 30 days after receiving written notice of an FOI decision and must give particulars of the decision, which the Applicant wishes to have reviewed.

All applications may be either lodged at the Corporation or mailed or faxed to FOI Coordinator at the following address:

The Chief Financial Officer
FOI Coordinator
Potato Marketing Corporation of Western Australia
Block C, 3 Baron-Hay Court
Kensington WA 6151
Phone: (08) 9423 0500
Fax: (08) 9423 0566
Email: pmc@pmc.wa.gov.au

Postal Address: Bin 40, 3 Baron-Hay Court
Kensington, WA 6151

FREEDOM OF INFORMATION CHARGES

The following are the charges payable in respect of an FOI application to the Corporation.

<u>Charges</u>	<u>\$</u>
Application Fee	
Application fee (for non personal information)	30.00
Types of Charges	
Time taken by staff dealing with the application (per hour or pro rata).	30.00
Charge for access time supervised by staff (per hour or pro rata).	30.00
Charge for time taken photocopying or transcribing a document from a tape or other medium (per hour or pro rata).	30.00
Photocopying (per copy)	.20
Duplicating a tape, film or computer information.	Actual Cost
Delivery, packaging and postage	Actual Cost

Estimate of Charges

The Applicant is entitled to request an estimate of the charges likely to be incurred in processing the application.

The Corporation will inform the Applicant if the estimated charges likely to be incurred in processing an Application will exceed \$250.00.

The Corporation has the discretion to waive or reduce charges if the Applicant is impecunious.

No charges are payable if the Applicant is seeking access to personal information about the Applicant.

Deposit

The Corporation may require the applicant to pay a deposit of 25% of the estimated charge likely to be incurred in processing the Application.

If the Corporation considers it necessary in order to meet the charges incurred in dealing with the application, it may require the Applicant to pay a further deposit of 75% before processing the application.

For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.

Access to Documents

Unless otherwise requested, the Corporation will provide the Applicant with copies of the documents to which access is sought.

If documents are made available for viewing, they may be viewed on weekdays between the hours of 8.30am and 4.30pm at:

Potato Marketing Corporation of Western Australia
Block C, 3 Baron-Hay Court
Kensington WA 6151

A fee will be charged for the supervised viewing of non-personal documents at the rate set out above.

Notice of Decision

As soon as possible but in any case within 45 days the applicant will be provided with a notice of decision which will include details such as -

- the date which the decision was made
- the name and the designation of the officer who made the decision
- if the document is an exempt document the reasons for classifying the matter exempt; or the fact that access is given to an edited document
- information on the right to review and the procedures to be followed to exercise those rights.

Refusal of Access

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an **internal review** by the agency. Application should be made in writing within 30 days of receiving the notice of decision.

Applicants will be notified of the outcome of the review within 15 days.

If the applicant disagrees with the result the applicant can apply to the Information Commissioner for an **external review**, and details would be advised to applicants when the internal review decision is issued.

FREEDOM OF INFORMATION ENQUIRIES

FOI Coordinator

The Chief Financial Officer
Potato Marketing Corporation of Western Australia
Block C, 3 Baron-Hay Court
Kensington WA 6151
Phone: (08) 9423 0500
Fax: (08) 9423 0566
Email: pmc@pmc.wa.gov.au

FOI Decision Making Positions

Chief Executive Officer
Chief Financial Officer

INFORMATION LOCATIONS

This part of the Information Statement summarizes information held by the Potato Marketing Corporation of Western Australia.

Internal Manual(s)

The Potato Marketing Corporation of Western Australia's Manual(s) are listed below:-

- Staff Induction Manual
- Board Members Induction Manual

Internal Publications

The Board's Internal Publications are described below:

- Annual Reports – 1971 to 2015
- Agency Files:-General Correspondence