

PRODUCERS' COMMITTEE ESTABLISHMENT POLLS

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1. PRODUCERS' COMMITTEE ESTABLISHMENT POLLS

The establishment of an APC producers' committee is a significant undertaking for any Western Australian agricultural industry that is eligible under the Act.

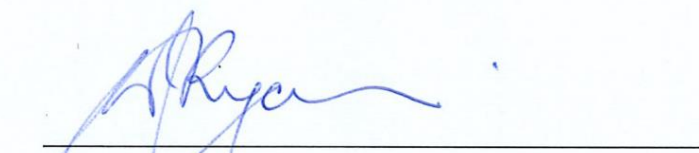
The Commission is aware of, and takes seriously, its responsibility in establishing producers' committees.

This policy seeks to ensure that an impartial, consistent and professional process is followed each and every time that the Commission conducts a committee establishment poll.

It also seeks to ensure that the process leading up to the poll provides producers:

- every opportunity to understand and interrogate what is proposed
- clear information on how the proposed committee would operate for producers and within the industry.
- an understanding of their rights and responsibilities in relation to the formal poll

The policy will optimise and clarify the committee establishment process for all concerned.



William Ryan
Chairperson, Agricultural Produce Commission

2. PURPOSE

This policy establishes the Commission's position on certain aspects of the of producers' committees establishment polling process.

Matters addressed in this policy are those that are not already addressed in the Agricultural Produce Commission Act 1988 (the Act), the Producers' Committees (Polling) Regulations 1990 (the regulations) or any other applicable legislation.

This policy should be read in conjunction to and is additional to these documents, is subsidiary to them and is not a replacement for them.

3. 'POLL' DEFINED

The regulations define a poll as: *'a poll which the Commission is required or authorised to conduct or which is conducted on behalf of a producers' committee'*.

The Commission can, or is required to, conduct polls in relation to various matters as required by the Act or relevant regulations.

This policy is specific to a poll conducted for the establishment of a producers' committee.

Polling, in this sense therefore, is as defined in the Cambridge Dictionary as *'the process in which a large number of people are asked for their opinions about a subject (or person)'*.

4. SCOPE

This policy applies to the Commission and its operating environment.

5. POLICY

The regulations¹ require that the Commission undertake a poll of relevant producers before a producers' committee can be established.

There are a number of areas on which neither the Act nor the regulations provide clarity.

Commission communication leading up to and including poll

The provision of accurate, comprehensive information on the poll proposal, the APC legislation and the APC producers' committee operating environment is vital to enable producers to make an informed decision on the proposal and to encourage producers to exercise their right to choice via the establishment poll.

The Commission, working with the parties requesting the poll and the industry producers will, before any poll is undertaken:

- Provide face-to-face opportunity for consultation, discussion and education via in person meetings in primary locations. Where possible these meetings will also be available via web based meeting conferencing apps. Meetings will be notified via industry bodies' communication channels, local newspapers, relevant websites, Twitter and direct communication with producers.
- Provide comprehensive information on the proposal, which includes the opportunity for feedback, via the APC website, any peak industry body website / newsletter / magazine.
- Nominate contact persons within the APC and the requesting body who producers can contact for discussion.
- Direct communication with producers will include (where details are able to be obtained) email, post and telephone. All methods will be employed – no one method will be relied upon solely.
- That a formal poll will be undertaken and that this provides the opportunity for producers to exercise their right in relation to the proposal will be consistently and repeatedly notified at meetings and in communications.

Producer turnout (response) to poll

An APC committee establishment poll is a non-compulsory polling process.

The communication, consultation and education methods above are designed to encourage participation to achieve a maximum turnout rate.

The APC average response rate (from all establishment polls held to date, where data is available) for establishment polls at the date of this publication was 42.72%.

Western Australian Electoral Commission (WAEC) average response rate for non-compulsory voting in Local Government Ordinary Elections (in 2015 and 2017) averaged at 34.5%².

¹ Act s10 (7) *'the Commission shall not establish a producer's committee in relation to agricultural produce unless the Commission as after complying with subsections (1) and (2) conducted a poll among the producers of agricultural produce the subject of the notice referred to in subsections (1) and (2) and, if the proposal to establish the producers' committee is in relation to a particular part of the State, in the part of the State in questions, and the poll is in favour of the proposal'.*

² 2017 Local government Ordinary elections – Election report – March 2017

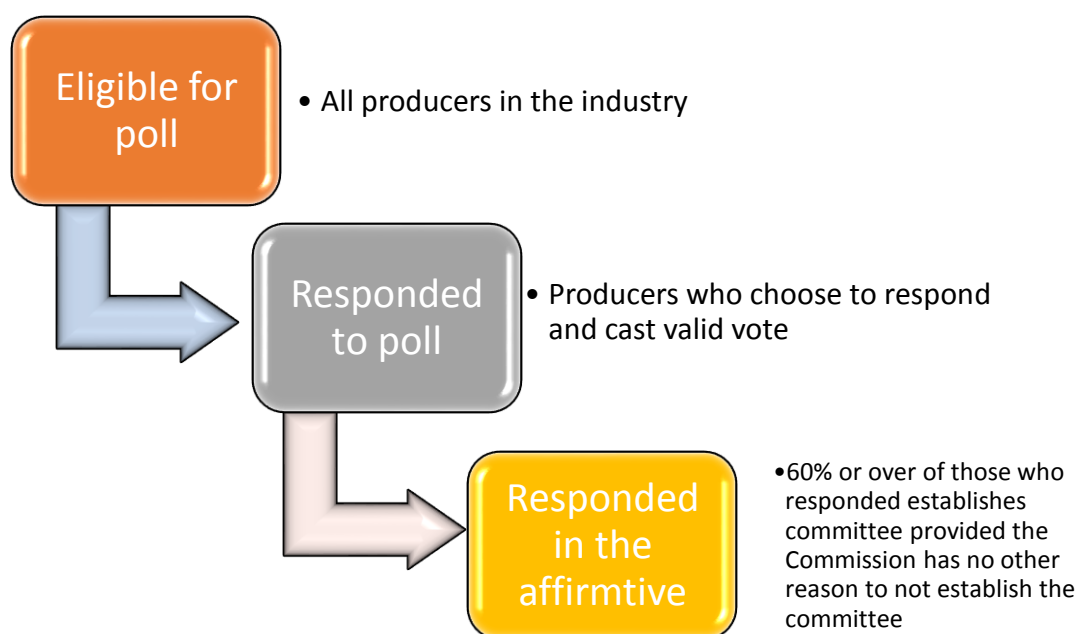
This supports the Commission belief that the response rate for APC establishment polls is above average, indicating effective producer involvement in the establishment process.

Given the above, the Commission will continue to operate on the basis that those who do not respond to the poll, have chosen not to do so as they have no strong sentiment either for or against the proposal.

Producer support for poll proposal / Deciding on committee establishment

The Commission to date has not established a committee with a supportive vote of less than 67.74%.

Policy Statement: The Commission will not establish a committee unless a supportive vote of 60% of those that respond to the poll has been achieved.



6. ROLES AND RESPONSIBILITIES

Members of the Commission and Commission staff -

- Will uphold and observe this policy's agreed principles.
- Will uphold and observe the spirit of the policy, which is to ensure an impartial process which delivers an outcome representative of, and in the interests of, relevant producers.
- Will ensure that all participants, stakeholders and relevant bodies are aware of this policy and all other relevant and supporting legislation or policies which relate to producers' committee establishment.

7. MANAGING DISPUTES

An efficient, fair and accessible dispute management process is important to ensure that producers concerns are addressed as well as to provide the Commission with the opportunity to improve processes.

- The Act³ allows for producers who are aggrieved in relation to their inclusion or omission from the poll list to apply to the State Administrative Tribunal for a review of the decision.
- Complaints or disputes should be directed to:
 - the Manager in the first instance, and if a resolution is not found
 - to the Commission, and if a resolution is not found
 - to the Minister

8. RELATED / SUPPORTING POLICIES

The following are Commission policies or documents which relate to or support this policy:

- Agricultural Produce Commission Act 1988
- Producers' Committees (Polling) Regulations 1990

³ Act Sec 16(2)