

Operating Standards for Brokers and Agents



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Grain Industry Code of Practice

- “confidence that processes exist in Australia to successfully produce, store and supply grain that meets the expectations of the entire supply chain”
- Self-regulation (outline minimum requirements)
- “applicable to all grain and grain products and applies to all stages along the supply chain”
- The Code does not have a contractual effect (unless expressly incorporated)
- GTA Membership = Adherence to the Code
- Section 2.7 covers Marketing.

Grain Industry Code of Practice

- Technical Guideline Documents under the Code
 - 16 Technical Guideline Documents to date
 - Complaints (eg)
 - Operating Standards for Pool Providers (eg)
- Operating Standards for Brokers and Agents
 - Designed to be a Technical Guideline Document
 - Currently within the GTA Commerce Committee

Why a TGD?

- Significant interaction between growers and the trade occurs between Brokers'/Agents'
- There is a lack of understanding of the role and the relationship with a Broker/Agent
- In instances it is unclear whether a operator is operating as a broker/agent or principal.
- Regardless a broker/agent performs a very similar role
- There as yet is no minimum Industry Standard
- It fits within the area of “self regulation”

The TGD sets out to... and covers

- Define “Agent” and “Broker”
- Powers and Duties of a “Broker” (GTA Trade Rule 3.1)
- Powers and Duties of a “Agent” (common law)
- General Principals
- Competency
- Authority to Act and Instructions
- Guidance of “Good Practice in negotiations”

General Principles

- Act with Honesty and Integrity
- Act in best interests of the client
- Provide accurate information regarding the transaction
- Respect a clients confidentiality
- Be professional, efficient and responsive in dealings
- Steps to make sure transaction are complete and accurate
- Honour their obligation to clients in a timely manner

Process for the TGD

- Initial Draft
 - Completed 2015
 - Directed to the GTA Commerce Committee
- GTA Commerce Committee
 - Saw merit in the Draft/Proposal
 - Formed sub-committee to re-draft and resolve a final draft
 - Sub-committee reports back to Committee this month
 - Committee will determine next course of action
 - Recommend – in which case further process leading in theory to the GTA Board Approval
 - Return to the sub-committee with additional direction



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Thank You