

FARM INDUSTRY REVIEW BOARD

Annual Performance Report

Fiscal Year 2015-16



Chairperson's Message

The Honourable Steve Crocker
Department of Fisheries, Forestry and Agrifoods
Petten Building
30 Strawberry Marsh Road
P.O. Box 8700
St. John's, NL A1B 4J6

Dear Minister:

On behalf of the Farm Industry Review Board, I am pleased to present this annual performance report for the 2015-16 fiscal year to the Honourable Steve Crocker, MHA, Minister of Fisheries, Forestry and Agrifoods, Government of Newfoundland and Labrador.

The Farm Industry Review Board is classified as a Category 3 entity, and is required, under the reporting component of the *Transparency and Accountability Act*, to submit annual performance reports to the Minister Responsible, on its success in achieving the objectives, measures and indicators as outlined in its multi-year performance based activity plan. As such, this report outlines the accomplishments of the Board from April 1, 2015 to March 31, 2016 with regard to its responsibilities under both the *Natural Products Marketing Act* and the *Farm Practices Protection Act*. The Board participated in the preparation and approval of this report, and is accountable for the results herein.

During this past year, the Board continued to strengthen its relationship with each of, and provide oversight and support to the commodity boards, and has plans to continue to advance these duties in the coming year. In addition to developing its oversight role, the FIRB devoted considerable time to facilitating and concluding an appeal which was filed against a commodity board in relation to its management of an industry incident. I am pleased with the achievements of the Board during the past fiscal year, and look forward to the coming year ahead.

As Chair of the Farm Industry Review Board, I am delighted to submit this annual report.

Respectfully submitted,



Rita Legge
Chairperson

Table of Contents

Government Entity Overview	1
Key Statistics	2
Mandate	3
Lines of Business	3
Primary Clients	5
Values	5
Vision	6
Mission	6
Shared Commitments	7
Results of Objectives.....	8
Issue 1: Supervision and Control of Commodity Boards.....	8
Issue 2: Monitoring and Support of Provincial Supply Management System	9
Issue 3: Dispute Resolution and other Supports/Services for Stakeholders	11
Opportunities and Challenges	12
Appendix A: Financial Statements	14
Appendix B: Legislated Mandate	15

1 Government Entity Overview

The Farm Industry Review Board (FIRB, the Board) is responsible for the general supervision of the operations of the three Provincial supply-managed commodity boards: Chicken Farmers of Newfoundland and Labrador (CFNL), Dairy Farmers of Newfoundland and Labrador (DFNL) and Egg Farmers of Newfoundland and Labrador (EFNL), and also for reviewing agriculture-related nuisance cases.

The *Natural Products Marketing Act* requires that the Farm Industry Review Board shall consist of not less than five and not more than seven members appointed by the Lieutenant-Governor in Council, one of whom shall be nominated by the Newfoundland and Labrador Federation of Agriculture (NLFA). The Board reports directly to the Minister Responsible for the Forestry and Agrifoods Agency. Members of the Board are appointed for a three year term and are eligible for reappointment. The Board is supported by one permanent government employee, the Board Manager, whose position is located at agriculture headquarters in Corner Brook.

The Board is currently comprised of six members, which is supported by a Board Manager. Representation as of March 31, 2016 is as follows:

Ms. Rita Legge
Chairperson
Cartyville

Ms. Elaine Wells
NLFA Representative
Robinsons

Mr. Kevin Harte
Member
Goulds

Mr. Donald MacInnis
Member
Corner Brook

Mr. Paul Lomond
Member
Steady Brook

Mr. Roosevelt Thompson
Member
Point Leamington

Ms. Heather Randell
Manager
Corner Brook

A total of \$155,000.00 was allocated in the 2015-16 budget of the Forestry and Agrifoods Agency, for the carrying out of all activities of the Board. Actual expenditures were \$128,200.00. See **Appendix A** for the complete categorization of expenditures.

1.1 Key Statistics

Provincial farms reported farm cash receipts of \$129.6 million in 2015, a value that is up 2.9 percent from the previous year. Increases were reported for all commodities except vegetables. The value of milk production rose 0.8 percent to \$46.2 million, while the value of egg production remained the same at \$17.6 million. Farm cash receipts for chicken farming are not available due to confidentiality restrictions, but data from the Chicken Farmers of Canada indicates that the volume of chicken produced in the Province in 2015 totaled 14.4 million kilograms, up 0.7 percent from 2014¹. The three supply-managed commodities (dairy, chicken and eggs), are the top three farm cash receipts generators of all the agricultural commodities, covering approximately 72 percent of total cash receipts for 2015². This highlights the tremendous importance of supply management to this province's agriculture industry.

Contact Information:

For information about the Farm Industry Review Board and its work, the regulated marketing system in Newfoundland and Labrador, the commodity boards, or about farm practices dispute resolution, please contact us at:

Farm Industry Review Board
P.O. Box 2006
2nd Floor Fortis Building
Corner Brook, NL
A2H 6J8

Tel: 637-2672
Fax: 637-1924

¹ Source: *The Economy 2016, Economic Research and Analysis Division, Department of Finance, Government of Newfoundland and Labrador*

² Source: *Statistics Canada 2016, Agriculture and Food Purchase Data for Newfoundland and Labrador.*

1.2 Mandate:

The Newfoundland and Labrador Farm Industry Review Board is an administrative tribunal, established under Provincial Government legislation to supervise commodity boards operating in the agriculture sectors. In addition, the Board is empowered to review agriculture-related nuisance cases, and determine whether a farm is operating according to acceptable farm practices. The Board is accountable to Government for its administrative operations, but is independent of Government in its decision-making. As an independent tribunal, the Board ensures that the public interest is served and protected. The mandate of the board is set out in two statutes³:

1. The *Natural Products Marketing Act*
2. The *Farm Practices Protection (Right to Farm) Act*

Under the *Natural Products Marketing Act*:

The Board is responsible for general supervision of the operations of commodity boards created under the Act, with the power to control and direct their operations; hearing appeals filed by any person who is aggrieved by or dissatisfied with orders, decisions or determination of the commodity boards; and acting as a signatory to federal-provincial agreements for supply-managed commodities.

Under the *Farm Practices Protection Act*:

The Board is responsible for hearing complaints from persons aggrieved by odour, noise, dust or other disturbances arising from agriculture operations, and may also study and report generally on farm practices.

1.3 Lines of Business:

The Farm Industry Review Board is responsible for three lines of business relevant to its mandate. These roles are listed below.

Supervisory Role

Today, there are three commodity boards administering three separate marketing schemes:

³ Please refer to **Appendix B** to view the legislated mandate for the Farm Industry Review Board in its entirety.

- Egg Farmers of Newfoundland and Labrador
- Chicken Farmers of Newfoundland and Labrador
- Dairy Farmers of Newfoundland and Labrador

The Board meets regularly with each of the commodity boards to discuss existing and emerging issues in the administration of the marketing schemes and to examine the policies and orders of the commodity boards to ensure they fall within statutory authority and do not unfairly impact individual producers or sectors of the industry. The Board may amend, vary or cancel the orders of a commodity board. The Board may also review issues related to the administration of a marketing scheme or the regulated marketing system, exercise authority to correct irregularities in the composition or operations of a commodity board or take action to ensure compliance with the *Natural Products Marketing Act* and the marketing schemes. The Board can administer schemes in respect of which no commodity board is constituted under the *Natural Products Marketing Act*.

The Board's supervisory role also includes the registration of farmers within the Province. The Board is responsible for registering all producers every 3 years and maintaining contact information. New farmers are added as they enter the industry and are issued an identification number. This number is required by the Department of Finance for the administration of the rebate programs.

Appellate Role

As a quasi-judicial appeal body, the Board is empowered to hear appeals from any person who is aggrieved by or dissatisfied by an order, decision or determination of a commodity board in Newfoundland and Labrador. The Board uses various forms of dispute resolution ("DR") processes to assist the parties to resolve issues by agreement. If DR is not used or is unsuccessful, a hearing is convened. After hearing an appeal, the Board may dismiss the appeal, confirm or vary the order, decision or determination being appealed, return the matter to the commodity board for reconsideration or make another order the Board considers appropriate in the circumstances.

The Board is also empowered to hear complaints from any person aggrieved by odour, noise, dust or other disturbances arising from farm operations. If DR is not used or is unsuccessful, a hearing is convened, after which, the Board must dismiss the complaint if the farm operation is determined to be following normal farm practices; or order the farmer to cease or modify his or her practices if the farm operation is not following normal farm practice.

Where possible, the Board promotes dispute resolution to provide all parties with impartial and fair resolutions to disputes, without the need for formal panel hearings. For

farmers, neighbours, local governments, and the public, the Board is an impartial body that can determine whether a farmer follows "normal farm practices."

The Board adheres to the principles of natural justice and administrative law in this quasi-judicial role. Decisions may be appealed only to the Supreme Court of Newfoundland and Labrador, and only on a question of law or jurisdiction.

Signatory Role

The Board, the Minister Responsible for the Forestry and Agrifoods Agency, the Premier acting as Minister for the Intergovernmental Affairs Secretariat, and the supply-managed commodity boards are the Newfoundland and Labrador signatories to agreements with the Federal Minister, other provincial and territorial ministers, and supervisory and commodity boards in Canada (federal-provincial agreements). These agreements provide for the cooperative use of federal and provincial legislation in managing the production and marketing of eggs, chicken and milk in Canada.

1.4 Primary Clients:

The Farm Industry Review Board identifies its primary clients as those individuals, groups, or organizations who are the principal users and/or beneficiaries of the Board's lines of business, and include the following:

- Commodity boards and their members
- Other producing/processing farming groups
- Farmers
- Members of the general public who are aggrieved by odor, noise, dust or other disturbances arising from farm operations
- Members of the general public who are aggrieved by or dissatisfied by an order, decision or determination of a commodity board
- Members of the general public who are interested in obtaining information about the farming industry

1.5 Values:

The Farm Industry Review Board values a working environment of mutual respect, accountability and fiscal responsibility. In exercising its mandate, the Board will be guided by the following principles: proactive, flexible and cooperative leadership, open and transparent consultation, accessible and efficient practices and services, independent, impartial, timely and consistent dispute resolution and decision making, and an ongoing professional development of members and staff. As outlined in its 2014- 2017 Activity Plan, the Board performed its duties during the year within the following core values:

Values	Action Statements
Responsiveness	Every effort is made by the Board to ensure that client requests are processed in a timely manner as identified in the Acts
Communication	Clients and stakeholders are kept informed of the services provided by the Board
Transparency	The Board will operate in an open manner such that relevant information is readily available to clients and stakeholders
Learning Culture	We operate in a continuous learning environment and accept the opportunity to learn more to assist in the work that we do
Professionalism	The Board is committed to conducting business with fairness, courtesy and respect. The Board will endeavour to always foster an internal culture based on competence, objectivity and excellence

1.6 Vision:

The vision of the Farm Industry Review Board of a regulated marketing system which operates effectively in a sustainable farming environment that is cognizant of the interests of the public and the industry.

1.7 Mission:

The Farm Industry Review Board is committed to promoting a constructive and timely exchange of views between industry stakeholders to foster a supply management system based on cooperation and reflective of the spirit upon which it was created. In carrying out its duties, the Board is committed to conducting Board business with fairness, courtesy and respect, be it with stakeholders or the general public. The work that the Board will undertake towards achieving its mission will help advance the Provincial Government's commitment in the area of agriculture/agrifoods by supporting resource sustainability.

Mission: By March 31, 2017, the Farm Industry Review Board will have enhanced the capacity of the board in carrying out its mandate.

Measure: Enhanced capacity

Indicators:

- Enhanced practices/procedures of information collection from commodity boards to support decision-making
- Continued to monitor industry sectors on provincial, national and international levels for emerging issues as well as opportunities for growth and /or modernization
- Increased collaboration with commodity boards
- Worked with commodity boards to ensure policies for new entrants are effective
- When required, conducted hearings and made decision on appeals, utilizing enhanced knowledge
- Enhanced governance and learning and development practices
- Enhanced responsiveness to stakeholders

2 Shared Commitments

The Farm Industry Review Board works in partnership with industry, government and national agencies to build on opportunities, address challenges and manage a system that provides fairness and balance to all stakeholders.

The NLFA represents all commodities in the agriculture industry in Newfoundland and Labrador by coordinating the efforts of producers for the purpose of promoting their common interest through collective action. Having a representative from the NLFA on the FIRB creates a direct link between industry and Government, and facilitates the exchange of information between the two.

The FIRB deals directly with the Minister, parliamentary secretary, and senior officials of the Forestry and Agrifoods Agency on various issues (e.g. commodity board updates, mandate, and legislation). In addition, the Board advises the Minister on all matters related to the operation of commodity boards established under the *Natural Products Marketing Act* with a view to ensure that all activities are carried out in accordance with existing legislation.

The FIRB is a member of the National Association of Agricultural Supervisory Agencies (NAASA). This association was formed in 1997 with membership comprising of Farm Products Council of Canada, all Provincial/Territorial Supervisory Agencies and the Canadian Dairy Commission. NAASA members have adopted a set of supervisory principles that guide its members in the supervision of commodity boards and other agencies within their national and provincial jurisdictions. It provides provincial and federal governments with a forum to discuss issues pertaining to regional or national

matters and to build consensus on moving the industry forward in a regulatory framework that supports the needs of industry as a whole.

3 Results of Objectives

The following objectives, as put forward in the 2014-17 Activity Plan, guide the Board in achieving its mission and support the focus areas of the Provincial Government as outlined in the Mission section above. These objectives, including the corresponding measures and indicators, are reported on each year covered by the 2014-17 Activity Plan, and support Government’s goals and objectives to enhance resource sustainability in the agriculture and agrifoods sectors.

Issue 1: Supervision and Control of Commodity Boards

The main line of business for the Farm Industry Review Board involves supervision of the commodity boards. The FIRB is continually strengthening this role in order to foster relationships with commodity boards. The Board is committed to making this a leading priority in the future.

Objective: By March 31, 2016, the Farm Industry Review Board will have continued supervision/control of commodity boards and strengthened supervisory/control mechanisms, where appropriate.

Measure¹: Continued supervision/control of commodity boards and strengthened supervisory/control mechanisms, where appropriate.

INDICATORS	ACCOMPLISHMENTS 2015/16
Provide oversight of commodity board decisions and activities. Attend commodity board meetings and/or reviewed minutes; ensure boards adhere to planning, reporting and other regulatory requirements; review annual reports and financial statements etc.	The Farm Industry Review Board (FIRB) attended all commodity board meetings and AGMs, continuing to show its presence and strengthen communication pathways. The Board also reviewed all commodity board minutes, reports and audited financial statements. Additional information has been gathered from commodity boards to allow for better oversight of Boards by FIRB.
In collaboration with commodity boards, continue to review the legislative/regulatory	The FIRB, in collaboration with the Dairy Farmers of Newfoundland and

<p>framework governing FIRB and commodity board operations in the Province</p>	<p>Labrador’s (DFNL), reviewed and identified preliminary areas in both the <i>Milk Scheme and Milk Regulations</i>. Areas for modernization were identified. Due to competing priorities, review of legislation for the Egg Farmers of Newfoundland and Labrador and the Chicken Farmers of Newfoundland and Labrador was not completed.</p>
<p>Begin drafting guidelines that provide enhanced clarity for commodity boards in terms of FIRB’s role, responsibilities and authority with respect to commodity board operations and the supply management system in the Province</p>	<p>FIRB has drafted an outline of a “clear language” information document which will break down the legislative mandate of FIRB for its members and other stakeholders. FIRB has continued discussions, particularly with DFNL and their policy analyst around content for this document.</p>
<p>Provide direction, feedback and other information, as appropriate, to commodity boards, as a means of providing support of overall commodity board operations</p>	<p>FIRB provided support to the commodity boards by facilitating the execution of legislative amendments requested by commodity boards. In addition, the FIRB assisted in the carrying out of an appeal between a producer and a commodity board.</p>

Issue 2: Monitoring and Support of Provincial Supply Management System

Under the *Natural Products Marketing Act*, the schemes for the supply-managed commodity boards form the basis for how the commodity groups will market their respective commodities. The Farm Industry Review Board is working to provide support and direction to the commodity groups implementing the schemes; this monitoring provides support and structure for supply management in this Province.

Objective: By March 31, 2016, the Farm Industry Review Board will have continued to monitor and provide support for the Provincial supply management system.

Measure¹: Continued to monitor and provide support for the Provincial supply management system.

INDICATORS	ACCOMPLISHMENTS 2015/16
<p>As signatory to federal-provincial agreements, attended meetings of the National Association of Agricultural Supervisory Agencies and exchange information with federal, provincial and territorial supervisory boards regarding their respective marketing systems</p>	<p>The Manager of FIRB participated in both the fall and spring NAASA meetings. At these meeting, the Manager engaged in formal discussions and updated all provincial partners and national agencies on industry status, challenges and opportunities in Newfoundland and Labrador. The Manager subsequently relayed to Board members and the Agency, the issues that were discussed.</p>
<p>Monitor issues and trends on provincial, national and international levels and facilitate information transfer among commodity boards, the Provincial Government, national supply management partners and other stakeholders, as appropriate</p>	<p>The FIRB Manager monitored national and provincial supply management activities through the NAASA meetings, and also through regular correspondence from national and provincial bodies which are part of the supply management system, including annual reports from other jurisdictions and industry-related information and updates. This information was disseminated, as appropriate, to Provincial Government, and the FIRB members at Board meetings keeping members well-informed of industry happenings.</p>
<p>Provide supports to commodity boards in addressing challenges associated with the supply management system, along with other industry-related issues (e.g. food traceability, animal care standards)</p>	<p>FIRB drafted proposed legislative changes to the <i>Milk Regulations</i> in consultation with the Dairy Farmers of NL and Legislative Counsel. This change, which was approved by the FIRB, has supported the dairy industry in establishing and enabling the regulated minimum price for milk paid to producers. These proposed changes were <i>Gazetted</i> by Legislative Counsel.</p>

Issue 3: Dispute Resolution and other Supports/Services for Stakeholders

The Farm Industry Review Board provides support for both producers and the general public of the Province. One of the Board’s responsibilities includes hearing appeals of regulated marketing board orders, decisions and determinations (*Natural Products Marketing Act*), as well as hearing farm practices complaints from persons aggrieved by disturbances arising from agricultural operations (*Farm Practices Protection Act*). Aside from the supply-managed commodities, the Farm Industry Review Board supports all farm commodities through the administration of the *Farm Practices Protection Act*. Another service provided by the Farm Industry Review Board involves registering producers and maintenance of the farm registration system. Continuing these services in a manner that is effective continues to be a central activity of the Farm Industry Review Board.

Objective: By March 31, 2016, the Farm Industry Review Board will have continued to provide effective dispute resolution for farming-related issues along with other supports, as appropriate, for stakeholders.

Measure¹: Continued to provide effective dispute resolution for farming-related issues along with other supports, as appropriate, for stakeholders.

INDICATORS	ACCOMPLISHMENTS 2015/16
When required, review complaints/disputes and respond in a timely manner	The FIRB reviewed two issues during the 2015-16 fiscal year, each with differing complexity, and requiring varying attention. One issue was a very complex, multi-stakeholder issue affecting an entire industry that required considerable time to resolve, and the other involved an individual review of farm practices on a subsistence farm. The results of multi-stakeholder issue included development of a new industry policy to address this situation should it occur again. In the other instance, a full farm assessment report was submitted to the applicant as well as the Town Council. Both issues were resolved to the satisfaction and timelines of the applicants. In addition, the complaint application form was updated to streamline the process for complainants.

Provide supports, as required, to farming groups not governed by commodity boards	FIRB was available to respond to any inquiries regarding the establishment of new marketing boards; however, no proposals were submitted during the 2015-16 fiscal year.
Continue to update the farm registration system as required	Continued to update and register existing and new farms. A new method of communication was developed between FIRB and the Department of Finance for relaying information on updated farm registrations. In addition, a new system for informing farmers of their impending farm card expiry has been established.

4 Opportunities and Challenges

Challenges

- Working with the commodity groups, the FIRB is currently reviewing all relevant legislation governing supply management in Newfoundland and Labrador. When this work is completed, the FIRB will be recommending appropriate regulatory changes to the Minister. This work is challenging, given that there are multiple pieces of legislation governing both the FIRB and commodity boards, all of which are in need of modernization by way of consultation with each of the supply-managed commodity groups.

Opportunities

- FIRB will be participating in the development of a new Agrifoods Strategy for Government. This exercise will encompass a full regulatory review of all legislation governing the agriculture industry in the Province, including all legislation administered by the FIRB. Altogether, this update will positively impact current legislation, by improving consistency and providing clarity.
- FIRB recognizes the continued necessity of having better communication and collaboration with the commodity boards in order to properly carry out its mandate.
- Potential development of other developing commodity markets (e.g. fur, cranberry, vegetable)

The Board recognizes the challenges and opportunities within the industry and acknowledges the roles and responsibilities of the various stakeholders. The Board's commitment is to continue to work within its mandate and with all stakeholders to build a sustainable farming environment that is cognizant of the interests of the public and the industry.

Appendix A: Financial Statements

Expenditure figures included in this document are based on public information provided in the *Estimates of the Program Expenditure and Revenue of the Consolidated Revenue Fund 2016-17*, Government of Newfoundland and Labrador, Agrifoods Development, section 13.10⁴.

	2015-16	
	Revised	Budget
3.2.02. Marketing Board	\$	\$
01. Salaries	72,200	89,600
02. Employee Benefits	-	300
03. Transportation and Communication	15,000	17,900
04. Supplies	1,000	2,200
05. Professional Services	40,000	45,000
Total	128,200	155,000

⁴ Unaudited

Appendix B: Legislated Mandate

Current Mandate (Source: *Natural Products Marketing Act*):

Powers and duties of board:

9. (1) The Board may, under the control and direction of the Minister, or concurrently with the Minister
- (a) purchase, lease or otherwise acquire in the name of the Crown, and sell, lease or otherwise dispose of on behalf of the Crown property, real or personal of every nature and kind, or interest in property, which is considered necessary, convenient or advisable for or incidental to the exercise of the powers, functions or duties conferred by this Act;
 - (b) co-operate with the Government of Canada or of a province of Canada or a department, agency, board, council, or body under the jurisdiction of the Parliament of Canada or the Legislature of a province of Canada in the manner and to the extent that may be necessary or desirable to market or promote, facilitate, control, regulate or prohibit the production or marketing of a natural product and to act conjointly with the government department agency, board, council or body;
 - (c) enter into an agreement with the governments, departments, agencies, boards, councils or bodies referred to in paragraph (b) for the purposes referred to there, including the agreements referred to in the *Farm Products Marketing Agencies Act (Canada)*;
 - (d) undertake, promote or recommend measures for the development, control and direction of the marketing of natural products in the province;
 - (e) collect, compile, analyze and record the statistical and other information relating to the marketing of natural products that may be useful;
 - (f) prepare and publish statistics, reports, records, bulletins, pamphlets, circulars and other means of distributing information and advice in relation to the marketing of natural products that may be useful;
 - (g) study, report on and advise upon the system and administration of the marketing of natural products;

- (h) foster, through scientific investigation and technology, knowledge of the marketing of natural products and of the means of dealing with conditions relating to the development, control and direction of them;
- (i) receive, from any source, lands, buildings, money or other property, by gift or trust for public use or for the use of the Board;
- (j) investigate the cost of producing, distributing and transporting natural products, prices, price spreads, trade practices, methods of financing, management, grading, policies and other matters relating to the marketing of natural products;
- (k) require persons engaged in the marketing of a natural product in an area designated by the board to register with the board their names, addresses and occupations and the quantity of the natural product marketed by them;
- (l) administer schemes in respect of which no commodity board is constituted under subsection 11(1);
- (m) do those acts and make those orders, regulations and directions that are necessary to enforce the observance and carrying out of this Act, the regulations or a scheme;
- (n) hear and determine appeals from a person engaged in the production or marketing of a regulated product arising out of a matter falling within the jurisdiction of a commodity board under the scheme concerning that regulated product, including the hearing and determination of appeals against
 - (i) the allocation of and refusal to allocate quotas for production or marketing a regulated product,
 - (ii) the cancellation or reduction of a quota, or a condition imposed upon the holder of a quota,
 - (iii) the issuing of licences and permits or the refusal to issue licences and permits, and
 - (iv) a matter or thing for which a right of appeal is prescribed in the regulations;

- (n.1) receive applications and make determinations with respect to those applications under Part II of the *Farm Practices Protection Act* ;
 - (n.2) conduct a study and prepare a report when required to do so under section 18 of the *Farm Practices Protection Act* ;
 - (o) regulate and control the production or marketing of natural products, and establish or designate an agency as a central marketing agency, for collection, assembly, distribution and marketing of a natural product; and
 - (p) exercise and discharge those other powers, functions and duties that the minister assigns to it.
- (2) The Minister may by order delegate to a commodity board those powers, functions and duties of the board, other than the powers contained in paragraphs (1)(k), (l) and (n) that may be considered necessary or desirable for the proper application and enforcement of a scheme under which a commodity board is constituted and may terminate the delegation of power.
- (3) Orders of the Minister made under subsection (2) may be made with retroactive effect.
- (4) The Board may require a commodity board to provide information relating to a matter governed by a scheme.
- (5) A member of the Board has, in relation to the hearing and determination of a matter under Part II of the *Farm Practices Protection Act*, all the powers that are or may be conferred upon a commissioner under the *Public Inquiries Act*.

ⁱ Note that ‘measures’ were omitted in the 2014-17 Activity Plan for the Farm Industry Review Board, but are included in this Annual Report.