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DELIVERED BY EMAIL

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Robin Smith
Chair
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Alf Krause
Chair
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Dear Chairs:

POSITION DESCRIPTIONS – ORDER IN COUNCIL APPOINTED CHAIRS AND MEMBERS OF MARKETING BOARDS AND COMMISSIONS

Governance of the marketing boards and commissions (commodity boards) that have the statutory responsibility for administering the regulated marketing sector in BC under the supervision of the BC Farm Industry Review Board (BCFIRB) is of ongoing importance to government. Government's objective in this regard is reflected in BCFIRB's service planning goals: effective self-governance; a principles/outcomes-based approach to regulation; and, the effective and fair resolution of disputes.

**British Columbia
Farm Industry Review Board**

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You will recall a January 15, 2015 letter from BCFIRB chair John Les, attached for your convenience, in which the accountability and expectations of chairs were discussed. Today's letter expands on that background in support of a review of the current position descriptions of Lieutenant Governor in Council (LGIC) appointed chairs and members of the commodity boards (and those of BCFIRB).

Background

Following the 2002-03 Core Review, government concluded that it was in the public interest to change the composition of commodity boards as there was value in having individuals on the boards without a vested interest in the industry and to provide the boards with a broader range of skill sets and perspectives. Subsequently the regulations under the *Natural Products Marketing (BC) Act (NPMA)* governing each of the commodity boards were amended to make provision for the appointment of independent chairs by the LGIC.

In 2004, BCFIRB and the Ministry of Agriculture worked jointly to develop a recruiting and selection process in accordance with Board Resourcing and Development Office guidelines that would identify and recommend candidates for appointment consideration. Although these appointments are not covered under the *Administrative Tribunals Act*, in practice the same merit-based process developed and used for BCFIRB appointments was also used for the commodity board positions.

Concurrently, BCFIRB in consultation with the ministry and the commodity boards developed position descriptions for chair positions. These descriptions were reviewed and updated in 2007 but since then have not been the subject of any substantive review.

Given the time since 2007 and that the BC Turkey Marketing Board has proposed some changes to the position description for its chair, BCFIRB has determined that it would be useful to look at whether the descriptions still accurately reflect the actual roles, responsibilities and activities of each of the chairs.

The current position descriptions are posted on the BCFIRB website and can be accessed through this link: <http://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/boards-commissions-tribunals/bc-farm-industry-review-board/about-bcfirb/board-members-staff/board-appointments>

A review will ensure that chairs and their commodity boards have a common understanding of certain key expectations of LGIC-appointed chairs, support future appointments of qualified individuals to the positions and assist BCFIRB as the supervisory board in assessing the governance and operational performance of the commodity boards.

An example for discussion is the existing provision for memorandums of understanding between the Minister of Agriculture, BCFIRB and each of the commodity boards. Efforts to establish and maintain these have proven to be time-consuming and an administrative burden on all concerned. It has been proven more effective to replace this requirement with timely and transparent operations and reporting from the commodity boards and BCFIRB on an ongoing basis. This is an element of the BCFIRB service plan goals applicable to all the commodity boards.

The commodity boards are responsible and accountable under the *NPMA* for the effective regulation of economic sectors that represent approximately half of BC's farm gate value and the commensurate

economic activity in the related processing and marketing sectors. This is a key factor to take into account when examining the roles and responsibilities of a chair. Some points in the current position descriptions should also be considered in terms of the commitment required of a chair:

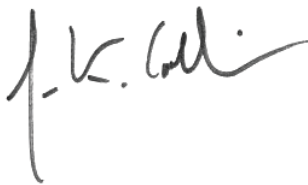
- chairs are a “member” of a commodity board with the responsibility that membership entails;
- chairs lead commodity boards that are accountable to BCFIRB for their effective governance and administration;
- chairs are responsible for ensuring that their board’s policies are in accord with its governing regulations and sound marketing policy in achieving sustainable industry growth and development in support of the government’s economic policy framework through a “forward-looking, long-term industry strategy”; and,
- chairs participate in policy discussions with the Minister of Agriculture, ministry, BCFIRB and others about the role, jurisdiction and strategic directions of their commodity board.

Chairs must therefore be well versed: in the operation of their sector; its stakeholders; its regulatory framework; and, the issues before their board and sector provincially and, where applicable, nationally.

Also attached as background is a September 27, 2010 letter of expectation issued to BCFIRB by the then Minister of Agriculture. It is very similar to others sent to each of the chairs. As noted in the BCFIRB chair’s letter of January 15, 2015, BCFIRB “incorporated these expectations into its ongoing strategic and service planning in developing the ‘Accountability Framework’ and SAFETI principles”.

The role and responsibilities of chairs may require a larger discussion – including at the annual meeting of the Minister and chairs scheduled for early March – but any initial comments would be appreciated not later than January 29, 2016. Please contact John Les or me if you have questions.

Yours truly,



Jim Collins
Executive Director

Attachments

cc: James Mack, Assistant Deputy Minister
Agriculture Science and Policy
Ministry of Agriculture

Executive Staff, Marketing Boards
and Commissions

BCFIRB website