

GROWER & USER TERMS DICTIONARY

Reference	Definition
Access Method	means the method we make available to you allowing you access to a User Account and Grower Account.
Account	means a Grower Account or User Account within myNGR as the context requires.
Agricultural Product	means products or Commodities derived from viticulture, horticulture, pasturage, apiculture, poultry farming and dairy farming or other operations connected with the cultivation of the soil, the gathering of crops and the rearing of livestock.
Associated Entities	has the same meaning as that term is defined in the <i>Corporations Act 2001</i> .
Authorised User	means a person who acts on behalf of a Data Subscriber and who the Data Subscriber lists as having Authority to act for it on its Application Form or otherwise in writing.
Authority or Authorisation or Authorised	means an authorisation, consent, right, certificate, licence, permit or declaration whether in writing or otherwise.
Business Day	means a day which is not a Saturday, Sunday or public holiday in Toowoomba, Queensland.
Claim	means, in relation to a person, any action, allegation, claim, demand, judgment, Liability, proceeding, remedy, right of action or right of set-off made against the person concerned however it arises whether: <ul style="list-style-type: none"> a) it is present, unascertained, immediate, future or contingent; b) it is based in contract, tort, statute or otherwise; or c) it involves a third party or a party to this contract.
Commodity	includes Grain, Agricultural Product or other article of trade or commerce.
Computer System	means an information technology system made up of one or more items of computer hardware, software, software as a service, platform as a service, infrastructure as a service or other electronic devices or equipment or programs, and the electronic data stored therein or thereon, along with any other associated services, licensed or provided to third parties by or on behalf of NGR.
Confidential Information	means: <ul style="list-style-type: none"> all information whether stored or accessible only by electronic means or held in hard copy relating to the Register, myNGR or NGR including the processes, equipment, techniques, Data Subscribers, Authorised Users and their Contact Details, Agreements, Grower Accounts, User Contact Details and arrangements and agreements with third parties, client information, Grower formulae, concepts or designs, trade secrets, computer programs, software and computer applications, works, inventions, discoveries, facts or data relating to the Register, myNGR or NGR, and including any information which the Data Subscriber or Authorised User becomes aware of by observation, deduction, reasoning, inspection and overhearing.
Cyber Event	means any unauthorised or malicious activity undertaken in connection with your Computer System, including but not limited to the following: <ul style="list-style-type: none"> a) the introduction of malicious software (i.e. malware) of any type designed to cause damage or harm to a Computer System; b) any unauthorised access to a Computer System; c) any attack or threat of attack against a Computer System which is coupled with a demand for money or other valuable consideration (including digital currency) to avert or stop an attack;

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	<p>d) any denial of service attack;</p> <p>e) any unauthorised disclosure of or loss of data (including non-electronic data);</p> <p>f) any remote attack against a Computer System where transactions are conducted, including where purchases are made by a payment card, including a credit card or debit card;</p> <p>g) any attack on web applications, including exploits of code level vulnerabilities in the application; or</p> <p>h) any fraudulent or dishonest instruction which purposes to be from a legitimate or trusted source authorised to make such instruction and which results in the:</p> <ul style="list-style-type: none"> (i) transfer, payment or delivery of any money or securities from an account maintained by a natural person or an entity to another person or entity who would not have received the money or securities had the fraudulent or dishonest instruction not occurred; (ii) transfer or delivery of any property to another person or entity who would not have received the property had the fraudulent or dishonest instruction not occurred; (iii) disclosure of Confidential Information; or (iv) changing or altering of bank account or payment details of any person or entity.
Data	means such of the Core Data, Subscription Data or a combination of certain data fields of either Core Data or Subscription Data, and any other information which may be provided by NGR to a Data Subscriber or its Authorised User as part of NGR's Services and only in accordance with these Terms and the Grower and User Term.
Data Subscriber	<p>means:</p> <p>a) a person that holds from time to time a current Password to access certain data on the Register and whose authority to access the Register has not subsequently been cancelled, suspended or whose access to the Register has not been denied for any reason;</p> <p>b) our shareholders (including their successors and assigns).</p>
Data Subscriber's Growers	<p>means Growers against whom a Data Subscriber is Listed on the Register and whom the Data Subscriber can demonstrate to our reasonable satisfaction have either:</p> <p>a) delivered Agricultural Product to, or sold or contracted to sell Agricultural Product to, the Data Subscriber; or</p> <p>b) purchased or contracted to purchase Agricultural Product from the Data Subscriber.</p>
Device	means a physical device used with Electronic Equipment to access a Grower Account or User Account.
Document Verification Services	<p>means:</p> <p>the system (including all associated services, infrastructure, applications, facilities, functionality, data, information and material, whether belonging to or operated by the DVS Manager or a third party) established by the DVS Manager to provide Information Match Results (but does not include any Gateway Service).</p>

Reference	Definition
Electronic Equipment	includes a computer, tablet, electronic device, telephone and mobile phone.
Force Majeure	means an act of God, fire, lightning, explosion, flood, subsidence, insurrection, civil disorder, expropriation, government or quasi government restraint, delay in obtaining government or quasi government approvals, industrial disputes and any other cause, whether similar or not, outside the affected party's control.
Grain	includes all dry bulk commodities including, without limitation, grain, minerals, woodchips, fertiliser and chemicals.
Grower	means a person who delivers, sells or contracts to deliver or sell Agricultural Product and who is registered as such on the Register and myNGR.
Grower Account	means an Account created in myNGR and which contains the Grower's Details, the Users of a Grower, the User's Contacts Details, Required Approvals and Listings for a Grower, but does not include each User's Login Name and Password.
Grower Data	means information contained in your Grower Account or User Account and any information that a User or Grower provides to us, except their Login Name, Password and Security Questions & Answers.
Grower Details	means in respect of each Grower: <ul style="list-style-type: none"> a) the names of the persons or trading entities that are Payees in respect of the Grower Account; b) the User Contact Details for Users in respect of that Grower Account; c) the address, GPS coordinates and location by State and, in the case of South Australian properties, (hundred), of the main grain or Agricultural Product producing property contributing grain or Agricultural Product to be sold using the NGR Card; d) the percentage split of payments to go to each of the Payees; e) the preferred method of payment (cheque or direct credit); f) the bank BSB, account number and account name of each of the Payees; g) the Australian Business Number of the business or trading entity (if provided); h) the GST status of the Payees, and any other information that we may collect from you and provide to a Data Subscriber or their Authorised Users from time to time with your consent.
Grower Registration Number	means a form of identification issued by us to a Grower Account carrying a unique identification number for that Grower on the Register.
GST	has the same meaning as in the GST Law.
GST Law	means <i>A New Tax System (Goods and Services Tax) Act 1999, A New Tax Act System (Goods and Services Administration) Act 1999</i> and any regulations made pursuant to those Acts as amended from time to time.
Identification Information	has the same meaning as that term is defined in the <i>Identity Verification Services Act 2023</i> .
Inactive Account	means: <ul style="list-style-type: none"> a) for a Data Subscriber - where the Data Subscriber and any Associated Authorised User is unable to be contacted due to invalid contact details or there is no Listing activity in the Data Subscriber Account in a three (3) year period; and b) for an Authorised User – where an Authorised User is not associated with a Data Subscriber Account or the Authorised User is unable to be contacted due to invalid Authorised User Contact Details.

Reference	Definition
Information Match Data	means data and information in or relating to Information Match Requests or Information Match Results, and includes Identification Information.
Information Match Request	means an electronic request to the DVS by us or our agent (required to be submitted in a structured electronic format advised by the DVS Manager) to be provided with an Information Match Result in relation the details of relevant information in a supported document.
Information Match Result	means in respect to an Information Match Request, an electronic response indicating that the information provided in the request either matches or does not match the relevant Official Record Data, or that assistant error has been encountered in trying to process that request.
Intellectual Property Rights	means all intellectual property rights throughout the world, whether registered, unregistered or unregistrable, in and relating to the Register, myNGR and us including all names, copyright, patents, trademarks, service marks, trade names, designs, confidential information, trade secrets, know how, data and databases, circuit layout rights, systems, domain names, email addresses, post office box numbers and telephone numbers of NGR or myNGR.
Liability	means a debt, liability loss, damages, costs, expenses, penalties or fines, interest payable or Obligation, whether: <ul style="list-style-type: none"> a) actual, contingent or prospective; b) present or future; c) qualified or unqualified; or d) incurred jointly or severally with any other person.
Listings	means all Data Subscriber links to a Grower within the Register including changes to those Listings. A Data Subscriber is Listed on or against a Grower if the Data Subscriber has nominated a Grower as a Data Subscriber's Grower and the Data Subscriber link to the Grower within myNGR or the Register is current.
Login Name	means: <ul style="list-style-type: none"> a) the unique name selected by you to register as an Online User; and b) which name when correctly entered by you in combination with a Password, allows you access to a User Account and a related Grower Account.
myNGR	means the internet based software application established by us for use by you, located at www.ngr.com.au and which contains the User Account and Grower Account and forms part of the Register.
NFF Farm Data Code	means the National Farmer's Federation Farm Data Code as may apply from time to time.
NGR	means National Grower Register Pty Ltd.
NGR Card	means the delivery card issued by us to a Grower or Trader carrying a unique Grower Registration Number.
NGR Card Information	means the location, card face, Grower Registration Number, Payee or Payees attached to that NGR Card and the percentage split between the Payees attached to that NGR Card (if there are more than one).
NGR Card Recipient	means the person nominated by you who will receive the NGR Card.
Obligation	means any obligation, commitment, liability, covenant, undertaking or duty whether arising by operation of law, in equity or by statute and whether expressed or implied.
Official Record Holder Information	means in respect of each Supported Document, the entity against whose Official Record Data the information submitted in an Information Match Request is matched (or attempted to be matched) via the DVS.

Reference	Definition
Operator	means any person or entity we appoint in writing from time to time to operate the Register and myNGR.
Partnership	has the same meaning ascribed to that term by Section 5 of the <i>Partnership Act (1891) (Qld)</i> .
Password	means the password you nominate, in accordance with our requirements for the nomination of passwords, for use with a User Account when a User seeks access to a Grower's Account on myNGR, or when making telephone enquiries with us which we tell you can only be made with a valid password.
Payee	in respect of an NGR Card or Grower Registration Number means a person that is registered by a User on myNGR as having a financial interest in any Agricultural Product delivered or sold under an Approved Dealing in respect of that NGR Card or Grower Registration Number and who may be: <ul style="list-style-type: none"> a) an individual producer of Grain, Agricultural Product or other Commodity; b) a Partnership or other entity associated for the purpose of producing and selling Grain or other Agricultural Product or other Commodity; c) a Trader of Grain or other Agricultural Product or Commodity which delivers Grain or other Agricultural Product or Commodity to a bulk handling facility or which purchases warehoused Grain or other Agricultural Product or Commodity. d) any Primary Producer involved in Primary Production; and e) any other person or has Authority to act for a Grower or who is validly associated with a Grower or a Grower's Account.
Payee Identification Number	means a form of identification issued by us to a Payee carrying a unique identification number for that Payee on the Register.
Payment Details	means those parts of the Grower Account that relate to a Grower's bank account and tax status.
Personal Information	has the same meaning as that term is used and defined in our Privacy Policy.
Primary Contact	means the User nominated by you as having Authority to act for you and who is the person we will contact in respect of your Account.
Primary Identification Documents means:	<ul style="list-style-type: none"> • Passport – Australian (can either be current or expired within the last 2 years but must not be cancelled, defaced or mutilated); • Full Australian birth certificate (or extract) (issued by State/Territory Registry of Births, Deaths and Marriages); • Australian Licence* - can either be a driver's licence, learner's permit, boat licence or taxi licence; • Citizenship certificate – Australian; • 18+ Proof of age card issued by a State or Territory (includes NSW RTA Photo card)*. <p>* must contain photograph and signature and date of birth</p>
Primary Payee	means the Payee chosen by the Users of a Partnership or Sharefarming arrangement in accordance with the Required Approvals of the Partnership or Sharefarming arrangement.
Primary Producer	means entity, person, including a Grower, engaged in Primary Production.
Primary Production	means the: <ul style="list-style-type: none"> a) growing, producing or extracting of natural resources, Agricultural Products or other Commodity; b) the supply, sale and delivery of natural resources, Agricultural Products or other Commodity

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Primary User	means the person nominated by you as having Authorisation to act for the Growers in a Partnership or Sharefarming arrangement.
Primary User's Contact Details	means the Primary User's name, address, (including postal and residential or business address) and telephone number (including mobile telephone number) of the Primary User.
Privacy Laws	means the <i>Privacy Act 1988</i> (Cth) and any other legislation, principles, industry codes and policies relating to the collection, use, disclosure, storage or granting of access rights to the Grower Details and User Contact Details.
Privacy Policy	means the privacy policy and procedures implemented by us for the collection, storage, use, disclosure and granting of access rights to the Grower Details and User Contact Details provided to us by you.
Proof of Identity Information	means the Primary Identification Documents, the Secondary Identification Documents, Identification Information and correct answers to your Security Questions and Answers.
Proscribed Person	means: <ul style="list-style-type: none"> a) a person who is unable to access the Grower's Data as they do not have a Login Name and Password; b) a person who is unable to answer, upon request, Security Questions & Answers; c) a person who no longer has Authority to access a Grower's Account on the myNGR; d) a person we reasonably suspect or who appears to us to be acting in breach of these Terms or our Privacy Policy or the Privacy Laws; e) a person who is not a Data Subscriber nominated by and Listed on/against a Grower, or by you and accepted in accordance with the Required Approvals.
RCTI	means a recipient created tax invoice in accordance with the GST Law.
Register	means the database of Grower Data maintained by NGR, and known as the National Grower Register.
Required Approvals	means the configuration nominated by Users which specifies the manner in which decisions will be made by the Users of a Grower (or Primary Payee as the case may be).
Rules	means the rules from time to time formulated by the Supplier as to the operation of, access to and use of myNGR and/or the Register.
Secondary Identification Documents	means: <ul style="list-style-type: none"> • Marriage certificate – Australian (issued by State/Territory Registry of Births, Deaths and Marriages); • Security guard's licence* or Shooter's/Firearms licence; • Birth card issued by an Australian State/Territory Registrar of Births, Deaths and Marriages* • Health care card – Centrelink/Department of Veterans' Affairs; • Identification card issued to a student at an Australian higher education institution (i.e. TAFE or University)*; • Medicare card/Centrelink Pension or Veterans' Affairs Pension Card; • Working with Children check card (Blue Card) – (QLD, VIC, WA)*; • Public Service employee ID card; • Australian Taxation Office (ATO) notice issued within the last 12 months and includes the customer's name and residential address; • A financial benefits notice issued by the Commonwealth or a State/Territory within the last 12 months and includes the customer's name and residential address (e.g. a notice from Centrelink). <p>* <i>must contain photograph and signature</i></p>

Reference	Definition
Security Questions & Answers	means the pre-arranged security questions that may be asked by us when a person wishes to register as a User or access a Grower Account on myNGR or if you wish to perform certain functions on the NGR. The correct answers must be provided or the function cannot be performed or that function used, including access to a Grower Account.
Services	means such services including Data as may be provided by NGR to a Grower or a Data Subscriber from time to time.
Sharefarming	is one where a person whether on their own account or with others farms land, with a view to sharing the proceeds of the farming activity.
Subscription Data	means such of the Data to which a Data Subscriber may, with NGR's and a Grower's consent, subscribe on a subscription basis during a Subscription Period.
Supplier	means NGR or such other entity as NGR may appoint from time to time and includes its' Operator, Associated Entities, directors, officers, affiliates, employees, agents, contractors, successors and assigns.
Terms	means these Terms including any schedules and annexures and all amendments to them from time to time.
Trader	means a person who engages in the business of buying, selling or trading of Grain, Agricultural Product or other Commodity.
User	means a person registered as a User of a Payee on myNGR and who has Authorisation to access on behalf of that Payee the Grower Account on myNGR and the Register.
User Account	means the User's Contact Details, Security Questions and Answers, Login Name and Password.
User Contact Details	means the name, address (postal, residential and business address), telephone number (including mobile telephone number), facsimile number, email address and preferred method of communication of a User.
Website	means www.ngr.com.au or such other website developed and assigned by us.