

South Australia

Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Variation Regulations 2013

under the *Primary Industry Funding Schemes Act 1998*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Variation Regulations 2013*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Regulations 2001*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3, after the definition of *Act* insert:

delivered—see subregulation (3);

- (2) Regulation 3, definition of *prescribed period*—delete the definition and substitute:

prescribed period means a period of 12 months ending on 31 May in any year up to and including the period of 12 months ending on 31 May 2017.

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Part 2—Variation of *Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Regulations 2001*

(3) Regulation 3—after subregulation (2) insert:

- (3) For the purposes of these regulations—
- (a) grapes will be taken to be *delivered* to a Langhorne Creek grapes winemaker by a grower of Langhorne Creek grapes when the winemaker takes possession of the grapes; and
 - (b) if a Langhorne Creek grapes winemaker processes Langhorne Creek grapes grown by the winemaker, grapes will be taken to be *delivered* to the winemaker when the grapes are placed in a container for the purposes of commencing processing of the grapes (including placing the grapes in a container for fermentation or in preparation for crushing or pressing).

5—Variation of regulation 5—Contributions to Fund

(1) Regulation 5(1)—delete subregulation (1) and substitute:

- (1) The following contributions are payable to the Minister for payment into the Fund for each tonne of Langhorne Creek grapes processed by a Langhorne Creek grapes winemaker:
- (a) during the prescribed period ending on 31 May 2014—
 - (i) in the case of grapes grown by a person other than the winemaker—
 - (A) \$5.00 is payable by the grower of the grapes; and
 - (B) \$3.50 is payable by the winemaker; and
 - (ii) in the case of grapes grown by the winemaker—\$8.50 is payable by the winemaker;
 - (b) during the prescribed period ending on 31 May 2015—
 - (i) in the case of grapes grown by a person other than the winemaker—
 - (A) \$5.15 is payable by the grower of the grapes; and
 - (B) \$3.60 is payable by the winemaker; and
 - (ii) in the case of grapes grown by the winemaker—\$8.75 is payable by the winemaker;
 - (c) during the prescribed period ending on 31 May 2016—
 - (i) in the case of grapes grown by a person other than the winemaker—
 - (A) \$5.30 is payable by the grower of the grapes; and
 - (B) \$3.70 is payable by the winemaker; and

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Part 2

- (ii) in the case of grapes grown by the winemaker—
\$9.00 is payable by the winemaker;
 - (d) during the prescribed period ending on 31 May 2017—
 - (i) in the case of grapes grown by a person other than
the winemaker—
 - (A) \$5.45 is payable by the grower of the
grapes; and
 - (B) \$3.80 is payable by the winemaker; and
 - (ii) in the case of grapes grown by the winemaker—
\$9.25 is payable by the winemaker.
- (1aa) However—
- (a) no more than \$30 000 is payable by each grower in respect
of grapes delivered to winemakers during a prescribed
period; and
 - (b) no more than \$30 000 is payable by each winemaker on the
winemaker's own behalf in respect of grapes delivered to the
winemaker during a prescribed period.
- (2) Regulation 5(2)—delete "(1)(a)(i)" and substitute:

(1)(a)(i)(A), (1)(b)(i)(A), (1)(c)(i)(A) or (1)(d)(i)(A)

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 19 December 2013

No 289 of 2013

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