

South Australia

Primary Industry Funding Schemes (Barossa Wine Industry Fund) Variation Regulations 2017

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 (Barossa Wine Industry Fund) Variation Regulations 2017*.

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 (Barossa Wine Industry Fund) Regulations 2007*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1), definition of *prescribed grower rate*—delete the definition
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- (2) Regulation 3(1), definition of *prescribed period*—after paragraph (g) insert:
- (h) the period of 12 months commencing on 1 June 2018 or on 1 June in any subsequent year up to and including the period of 12 months commencing on 1 June 2022;
- (3) Regulation 3(1), definition of *prescribed winemaker rate*—delete the definition and substitute:
- relevant day* means the day on which the *Primary Industry Funding Schemes (Barossa Wine Industry Fund) Variation Regulations 2017* come into operation.

5—Variation of regulation 5—Contributions to Fund

- (1) Regulation 5(1)—after "a prescribed period" insert:
- (but before the relevant day)
- (2) Regulation 5(1)(a)—delete "for each tonne of grapes delivered during the prescribed period" and substitute:
- specified in Schedule 2 item 2 for each tonne of grapes so delivered
- (3) Regulation 5(1)(b)—delete "for each tonne of grapes delivered during the prescribed period" and substitute:
- specified in Schedule 2 item 1 for each tonne of grapes so delivered
- (4) Regulation 5(1)—after subregulation (1) insert:
- (1a) The following contributions are payable to the Minister, for payment into the Fund, for Barossa grapes delivered to a Barossa winemaker during a prescribed period (on or after the relevant day):
- (a) the Barossa winemaker must contribute—
- (i) in the case of a Barossa winemaker who has a cellar door, winemaking facility or vineyard in the Barossa—\$200; or
- (ii) in any other case—
- (A) \$200; or
- (B) an amount (not exceeding the maximum amount specified for the prescribed period in column 4 of the table in Schedule 3) calculated by multiplying the prescribed winemaker rate specified in column 2 of the table by the number of tonnes of grapes so delivered,
- whichever is greater;

(b) a grower of grapes who delivers the Barossa grapes to the Barossa winemaker must contribute an amount (not exceeding the maximum amount specified for the prescribed period in column 4 of the table in Schedule 3) calculated by multiplying the prescribed grower rate specified in column 3 of the table by the number of tonnes of grapes so delivered.

(1b) However, the Minister may reduce the prescribed grower rate, or the prescribed winemaker rate, for a prescribed period by notice published in the Gazette before the date for payment of contributions for that prescribed period.

(5) Regulation 5(4)—before "who has not made an election" insert:

to whom subregulation (1) applies

6—Variation of Schedule 2—Contributions

(1) Heading to Schedule 2—delete the heading and substitute:

Schedule 2—Contributions payable under regulation 5(1)

(2) Schedule 2 item 1(f)—after "subsequent prescribed period" insert:

—for grapes delivered before the relevant day

(3) Schedule 2 item 2(f)—after "subsequent prescribed period" insert:

—for grapes delivered before the relevant day

(4) Schedule 2 item 3—delete item 3

7—Insertion of Schedule 3

After Schedule 2 insert:

Schedule 3—Contributions payable under regulation 5(1a)

Prescribed period	Prescribed winemaker rate (per tonne)	Prescribed grower rate (per tonne)	Maximum amount for the prescribed period
1 June 2017 to 31 May 2018	for grapes delivered on or after the relevant day—\$10.00	for grapes delivered on or after the relevant day—\$10.00	\$48 000
1 June 2018 to 31 May 2019	\$10.25	\$10.25	\$48 960
1 June 2019 to 31 May 2020	\$10.50	\$10.50	\$49 939
1 June 2020 to 31 May 2021	\$10.75	\$10.75	\$50 937
1 June 2021 to 31 May 2022	\$11.00	\$11.00	\$51 956

Primary Industry Funding Schemes (Barossa Wine Industry Fund) Variation Regulations 2017
Part 2—Variation of *Primary Industry Funding Schemes (Barossa Wine Industry Fund) Regulations 2007*

1 June 2022 to 31 May 2023	\$11.25	\$11.25	\$52 995
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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 12 December 2017

No 330 of 2017

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