

South Australia

Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) (Miscellaneous) Variation Regulations 2021

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) (Miscellaneous) Variation Regulations 2021*.

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 2016*

4—Variation of regulation 5—Contributions to fund

- (1) Regulation 5(1)(h)—delete paragraph (h)
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Variation Regulations 2021**

Part 2—Variation of *Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund)
Regulations 2016*

- (2) Regulation 5—after subregulation (1) insert:
- (1a) 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 during a prescribed period ending on or after 31 May 2023:
- (i) in the case of grapes grown by a person other than the winemaker—
- (A) the amount fixed for the period by the Minister, by notice in the Gazette, is payable by the grower of the grapes; and
- (B) the amount fixed for the period by the Minister, by notice in the Gazette, is payable by the winemaker; and
- (ii) in the case of grapes grown by the winemaker—the amount fixed for the period by the Minister, by notice in the Gazette, is payable by the winemaker.
- (3) Regulation 5(2)—delete "\$30 000" wherever occurring and substitute in each case:
the prescribed maximum contribution
- (4) Regulation 5—delete subregulation (4) and substitute:
- (4) Contributions payable by a grower under subregulation (1) or (1a) for grapes delivered to a Langhorne Creek grapes winemaker must be paid on behalf of the grower by the winemaker out of the amount payable by the winemaker to the grower for the grapes.
- (4a) The Minister may, by notice in the Gazette published before the date for payment of contributions for a prescribed period, vary an amount fixed under this regulation in respect of the prescribed period (including an amount specified as a prescribed maximum contribution under subregulation (10)).
- (4b) If the Minister varies an amount payable under this regulation after the commencement of the relevant prescribed period, the amount as varied applies only in respect of the part of the prescribed period following the date on which the variation takes effect.
- (5) Regulation 5(7)—delete "12 months following that prescribed period" and substitute:
refund period for that prescribed period
- (6) Regulation 5(10)—delete "subregulation (9)" and substitute:
this regulation
- (7) Regulation 5(10)—after the definition of *official cash rate* insert:
prescribed maximum contribution means—
- (a) in respect of a prescribed period ending on or before 31 May 2022—\$30 000; or

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- (b) in respect of a prescribed period ending on or after 31 May 2023—the amount fixed by the Minister, by notice in the Gazette, as the maximum contribution for the period;

refund period means—

- (a) in respect of a prescribed period up to and including the prescribed period ending on 31 May 2021—the period of 12 months following the prescribed period; or
- (b) in respect of each subsequent prescribed period—the period of 6 months following the prescribed period.

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 Administrator

with the advice and consent of the Executive Council
on 2 September 2021

No 130 of 2021