

South Australia

# **Primary Industry Funding Schemes (McLaren Vale 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 (McLaren Vale 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 (McLaren Vale Wine Industry Fund) Regulations 2017***

### **4—Variation of regulation 5—Contributions to fund**

- (1) Regulation 5(2)(e)—delete paragraph (e)

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

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- (2) Regulation 5—after subregulation (2) insert:
- (2a) The following contributions are payable to the Minister for payment into the Fund for each tonne of McLaren Vale grapes delivered to a McLaren Vale 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(5)—delete "and (2)" and substitute:
- , (2) or (2a)
- (4) Regulation 5—after subregulation (5) insert:
- (5a) 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 (11)).
- (5b) 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(8)—delete "12 months following that prescribed period" and substitute:
- refund period for that prescribed period
- (6) Regulation 5(11), definition of *prescribed maximum contribution*, (f)—delete paragraph (f) and substitute:
- (f) 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;
- (7) Regulation 5(11)—after the definition of *prescribed maximum contribution* insert:
- 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.

**Primary Industry Funding Schemes (McLaren Vale Wine Industry Fund) (Miscellaneous) Variation  
Regulations 2021**

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

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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 Administrator**

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

No 131 of 2021