

Australian Wine and Brandy Corporation Amendment Regulations 2001 (No. 1) 2001 No. 76

EXPLANATORY STATEMENT

STATUTORY RULES 2001 No. 76

Issued by Authority of the Minister for Agriculture, Fisheries and Forestry

Australian Wine and Brandy Corporation Act 1980

Australian Wine and Brandy Corporation Amendment Regulations 2001 (No. 1)

Section 46 of the *Australian Wine and Brandy Corporation Act 1980* (the Act) provides that the GovernorGeneral may make regulations necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The Regulations amend the *Australian Wine and Brandy Corporation Regulations 1981*.

Amendments to the Act were made in 1998 by the *Primary Industries and Energy Legislation Amendment Act (No 1) 1998* by inserting paragraph 40D(2)(e) and subsection 40F(5A). The purpose of the Regulations is to correct references to provisions of the Act amended by the insertion of subsection 40F(5A).

These provisions state the description and presentation of wine is misleading if not in accordance with provisions prescribed for these purposes. At the time of the amendments it was decided not to amend the regulations following changes to the Act as the negotiations on amendments to the Australia/EU Wine Agreement may have necessitated further changes to this section of the regulations. However, due to delays in the negotiations and in the interests of ensuring that the reputation of Australian wine is preserved, it is appropriate to proceed now with these changes rather than wait for finalisation of the Australia/EU Wine Agreement. To make the amendments to the Act effective it is necessary to revise the references in the existing regulations to reflect those amendments.

The Australian Wine and Brandy Corporation support the changes.

The Regulations commence on gazettal.

Details of the effects of the changes to the Regulations are listed below.

Schedule 1 Amendments

[Item 1] changes the title of Part 4 to more accurately reflect the meaning of the Part.

[Item 2] removes the words 'Blending Requirements' from the heading.

[Item 3] substitutes the correct subsection in the AWBC Act.

[Item 4] removes the words 'Blending Requirements' from the heading.

[Item 5] substitutes the correct subsection in the AWBC Act.

[Item 6] removes the words 'Blending Requirements' from the heading.

[Item 7] substitutes the correct subsection in the AWBC Act.

[Item 8] removes the words 'Blending Requirements' from the heading.

[Item 9] substitutes the correct subsection in the AWBC Act.