



Australian Wine and Brandy Corporation Amendment Regulations 2005 (No. 2)¹

Select Legislative Instrument 2005 No. 245

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Australian Wine and Brandy Corporation Act 1980*.

Dated 10 November 2005

P. M. JEFFERY
Governor-General

By His Excellency's Command

PETER McGAURAN
Minister for Agriculture, Fisheries and Forestry

1 Name of Regulations

These Regulations are the *Australian Wine and Brandy Corporation Amendment Regulations 2005 (No. 2)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Australian Wine and Brandy Corporation Regulations 1981*

Schedule 1 amends the *Australian Wine and Brandy Corporation Regulations 1981*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 6A

substitute

6A Conditions of export — food standards

- (1) The export of a grape product is prohibited unless:
 - (a) the product complies with the Food Standards Code; or
 - (b) if the product does not comply with the Code — the Corporation approves, under subregulation (2), the export of the product by the exporter.
- (2) The Corporation may approve the export, by a particular exporter, of a grape product that does not comply with the Code if the Corporation is satisfied that:
 - (a) the product meets any requirements for grape products imposed by the country to which the product is to be exported; and

-
- (b) the non-compliance will not compromise the reputation of Australian grape products.
 - (3) The approval must be given to the exporter in writing and must state:
 - (a) the particulars of the non-compliance; and
 - (b) that the product must comply with the Code in any other respect.

[2] After paragraph 10 (a)

insert

- (aa) a decision by the Corporation under subregulation 6A (2) to approve, or refuse to approve, the export of a grape product that does not comply with the Food Standards Code; or

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.