Wine Australia Corporation Amendment Regulation (No. 1)1

Select Legislative Instrument 2012 No. 161

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Wine Australia Corporation Act 1980*.

Dated 12 July

QUENTIN BRYCE

Governor-General

By Her Excellency’s Command

PETER DOUGLAS SIDEBOTTOM

Parliamentary Secretary for Agriculture, Fisheries and Forestry

1 Name of regulation

 This regulation is the *Wine Australia Corporation Amendment Regulation 2012 (No. 1)*.

2 Commencement

 This regulation commences on the day after it is registered.

3 Amendment of *Wine Australia Corporation Regulations 1981*

 Schedule 1 amends the *Wine Australia Corporation Regulations 1981*.

Schedule 1 Amendments

(section 3)

[] After regulation 28

insert

28A Modifications of Division 4 of Part VIB of the Act

 For subsection 40PA (3) of the Act, the provisions of Division 4 of Part VIB of the Act apply as if they were modified as set out in Schedule 4.

[] Regulation 45, definition of *party*, paragraph (b)

substitute

 (b) if the objection was made on a ground mentioned in subsection 40RB (1), (3) or (4) of the Act—the owner of the trade mark concerned;

 (ba) if the objection was made on a ground mentioned in subsection 40RB (5) of the Act—the person who made the objection;

[] After Schedule 3

insert

Schedule 4 Modification of Division 4 of Part VIB of the Act

(regulation 28A)

1 After subsection 40RB (4)

insert

Common use

 (5) A person may object to the determination of a proposed GI on the ground that the proposed GI is used in Australia:

 (a) as the common name of a type or style of wine; or

 (b) as the name of a variety of grapes.

**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.comlaw.gov.au](http://www.comlaw.gov.au/).