EXPLANATORY STATEMENT

Select Legislative Instrument 2011 No. 85

Issued by the Authority of the Parliamentary Secretary for Agriculture, Fisheries and Forestry

Wine Australia Corporation Act 1980

Australian Wine and Brandy Corporation Amendment Regulations 2011 (No. 1)

The Wine Australia Act 1980 (the Act) establishes the Wine Australia Corporation. The Corporation’s activities include: providing strategic support to the Australian wine sector; export regulation and compliance; domestic and international wine promotion; and wine sector information and analysis.

Section 46 of the Act provides, in part, that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed or 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 to reflect the change in name of the Australian Wine and Brandy Corporation to the Wine Australia Corporation made by the Financial Framework Legislation Amendment Act 2010.

The name change better reflects the current activities of the Corporation and the Australian wine industry.

Consultation has been undertaken. The Corporation requested the name change and has been consulted about the change. The Winemakers’ Federation of Australia and the Department of Finance and Deregulation support the name change. The Office of Best Practice Regulation has advised that no Regulation Impact Statement is required.

Details of the regulations are set out in the Attachment.

The regulations commence on the day after they are registered in the Federal Register of Legislative Instruments.

The Act specifies no conditions that needed to be satisfied before the power to make the Regulations was exercised.

The Regulations are a legislative instrument for the purposes of the Legislative Instruments Act 2003.

Authority:
Section 46 of the Wine Australia Corporation Act 1980

Explanatory Statement to F2011L01078
ATTACHMENT

AUSTRALIAN WINE AND BRANDY CORPORATION AMENDMENT REGULATIONS 2011 (No. 1)

NOTES ON ITEMS

Regulation 1 Name of Regulations

Regulation 1 provides that the name of the regulations is the Australian Wine and Brandy Corporation Amendment Regulations 2011 (No. 1).

Regulation 2 Commencement

Regulation 2 provides for the regulations to commence on the day after the Regulations are registered in the Federal Register of Legislative Instruments.

Regulation 3 Amendment of Australian Wine and Brandy Corporation Regulations 1981

Regulation 3 provides that Schedule 1 amends the Australian Wine and Brandy Corporation Regulations 1981.

Schedule 1 Amendments
(regulation 3)

Item [1] Regulation 1

This item omits the phrase Australian Wine and Brandy and replaces it with Wine Australia.

Item [2] Regulation 3, definition of Act

This item omits the phrase Australian Wine and Brandy and replaces it with Wine Australia for the definition of the Act as this definition is now to read Wine Australia Corporation Act 1980.